

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP No. 16199 of 2021

DATE OF DECISION :- August 23, 2021

Phool Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Rajnish K. Gupta, Advocate for the petitioner.

The case has been taken up through Video Conferencing.

Petitioner Phool Kumar, aged about 42 years, son of Sh. Pala Ram, resident of VPO Sisla Sismor, Tehsil and District Kaithal, by way of filing the present writ petition craves for setting aside the action of official respondents removing him from post of Shift Attendant and appointing Hardeep Singh- respondent No. 7 in his place without passing any order or giving notice and giving the salary on DC rate from February, 2016 to April, 2016 under Sub Divn. Rajound at 33 KV Power House Kithana. In this very writ petition he is further praying for issuance of direction to the official respondents to re-appoint him to the post of Shift Attendant and to give him salary from February, 2016 to April, 2016 along with interest. According to the petitioner he has got served a legal notice dated 24.2.2021 upon XEN Pundri, UHBVN, District Kaithal (respondent No. 4), copy of which being Annexure P-3 detailing all the facts but that notice has not evoked any response.

Notice of motion to official respondents No. 1 to 6.

On being asked by the Court, Ms. Shubhra Singh, Additional Advocate General, Haryana has accepted notice on behalf of official respondents No. 1 to 6.

Learned counsel for the petitioner states that petitioner would be satisfied if the official respondent No. 4 XEN Pundri, UHBVN, District Kaithal is directed to consider the grievances of petitioner as contained in legal notice and then to take necessary action in the matter. Learned State counsel representing the official respondents states that such respondents would abide by any such direction so issued by the Court.

Accordingly, the writ petition is disposed of directing respondent No. 4 XEN Pundri, UHBVN, District Kaithal to consider the legal notice (Anexure P-3) got served by petitioner upon him in accordance with law, rules, regulations and instructions on the subject and if he finds that some action in the matter is warranted then the needful be done within two months from the date of receipt of copy of this order in his office. He is required to pass a speaking order in that regard. He may consider the desirability of affording personal hearing to the petitioner for better appreciation of the factual position. It is further made clear that if after disposal of the notice by respondent No. 4, the petitioner still feels dissatisfied then he may approach the Court again in accordance with law.

(H.S. MADAAN)
JUDGE

August 23, 2021
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No