

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

CWP-20184-2021

Date of decision: 04.10.2021

Sudheer

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Ms. Mehak Sawhney, Advocate for
Mr. Naveen Sharma (Bhardwaj), Advocate,
for the petitioner.

Mr. Tapan Kumar Yadav, DAG, Haryana.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of mandamus directing the respondents to consider his case for regularization on the post of 'Tracer'.

2. Learned counsel for the petitioner submits that petitioner has been working on contract basis against the sanctioned post of 'Tracer' for more than six years. His continuous service being more than 3 years, he is entitled for regularization in view of the applicable policies dated 16.06.2014 and 18.06.2014 issued by Government of Haryana.

3. Learned counsel for the petitioner submits that qua his aforesaid grievance, petitioner submitted a representation dated 18.12.2018 (Annexure P-8), the same has not been adverted by the respondents till date. He submits that, on the other hand, respondent has sought deputation of 'tracer' from other department against the sanctioned post, on which the petitioner has been working on contract basis since 15.05.2015. Hence, the instant petition.

4. Notice of motion.

5. On advance service, learned State counsel joins proceedings and accepts notice on behalf of the respondent-State of Haryana and seeks time to file reply.

6. At this stage, learned counsel for the petitioner submits that let a final decision be taken, by the competent authority on the pending representation dated 18.12.2018 (Annexure P-8).

7. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

8. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the competent authority to look into the grievance of the petitioner as per representation dated 18.12.2018 (Annexure P8) and also by keeping in view the contentions raised in the present petition by treating the same as supplementary representation and take a decision, in accordance with law.

9. Let the needful be done as expeditiously as possible. In case, petitioner is in service as on today, as pleaded by him, his services then shall not be dispensed with till deciding the representation. In case an adverse order is passed, the same shall be kept at abeyance for a period of 30 days in order to give an opportunity to the petitioner to avail his legal remedy, in accordance with law.

10. Disposed of accordingly.

04.10.2021
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No