

IN THE HIGH COURT OF PUNJAB AND HARYANA ATCHANDIGARH

CM-14209-CWP-2020 in/and

CWP-20714-2020

Date of Decision: January 11, 2021

RAJESH KUMAR

..... PETITIONER(s)

Versus

STATE OF HARYANA AND OTHERS

..... RESPONDENT(s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. N.K. Malhotra, Advocate
for the applicant-petitioner.

Mr. Ashish Yadav, Addl.A.G., Haryana.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to the outbreak of pandemic, COVID-19.

Prayer in application (CM-14209-CWP-2020) is for preponement of hearing of the writ petition and disposal thereof with a direction to the official respondents for deciding the petitioner's applications seeking voluntary retirement (VRS) and Earned Leave. The petitioner has sought quashing of the action of respondent no.4 vide Annexure P-7 in assigning the petitioner to election duty out of the District, being violative of instructions dated 20.03.2020. There is a further prayer for directing the respondents to allow the petitioner's applications (Annexures P-4 and P-6) for VRS & Earned Leave and take a final decision on his applications.

Notice of motion had been issued in this writ petition on 03.12.2020 and it was directed vide order dated 10.12.2020 that there shall

be no insistence upon the petitioner to carry out election duty as per communication dated 26.11.2020 till the next date of hearing and the petition was adjourned to 02.03.2021.

At this stage, present application has been moved seeking disposal of the writ petition while directing the official respondents to decide the petitioner's applications Annexure P-4 and P-6 in a time bound manner.

Notice of the application.

Mr. Ashish Yadav, Addl. A.G., Haryana, accepts notice of the application on behalf of all the respondents and does not raise any objection to preponement of hearing of the writ petition. He further submits that petitioner's representations/applications Annexure P-4 and P-6 shall be decided within two weeks.

Keeping in view the limited prayer addressed and specific stand of the respondent-State, hearing of this writ petition is preponed from 02.03.2021 for today itself. Writ petition is disposed of with a direction to the competent authority to decide petitioner's representations/applications Annexure P-4 and P-6, within a period of two weeks from receipt of certified copy of this order. Till then there shall be no insistence upon the petitioner to carry out election duty. It is clarified that there is no expression of opinion on the merits of the matter.

Application as well as writ petition are disposed of accordingly.

11.01.2021

Sunil

**(LISA GILL)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No