

CWP-21909-2021

Date of Decision : 29.10.2021

Jasmer

...Petitioner

Versus

State of Haryana and others

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Kunal Vinayak, Advocate for the petitioner.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

2. Prayer in the petition under Articles 226/227 of the Constitution of India is for the issuance of a writ in the nature of *Mandamus* for directing the respondents to reinstate / reappoint the petitioner to the post of Home Guard, on account of his having been illegally, and arbitrarily removed from the said post without giving any show cause notice, opportunity of hearing etc.

3. At the outset, learned counsel states that the petitioner has submitted representations Annexures P/6, P/7, P/8, P/9 and P/11 dated 24.02.2020, 24.02.2020, 21.08.2020, 28.09.2020 and 01.04.2021 but no decision has been taken on the same till date and in the circumstances, the petitioner would be satisfied if the writ petition is disposed of by directing respondent No.4 to consider and decide the claim as made in the aforementioned representations in accordance with law, in a time bound manner.

4. Notice of motion to respondent No.4 only.

5. Mr. Tapan Kumar, DAG, Haryana, accepts notice on behalf of respondent No.4 and after perusal of the writ petition states that he has no objection to the limited prayer made by learned counsel for the petitioner.

6. Accordingly, in view of the statement of learned counsel for the parties but without commenting upon the merits of the case, the writ petition is disposed of by directing respondent No.4 to consider and decide the claim made in the representations Annexures P/6, P/7, P/8, P/9 and P/11 dated 24.02.2020, 24.02.2020, 21.08.2020, 28.09.2020 and 01.04.2021, in accordance with law after taking into account all aspects of the matter within three months from the date of receipt of certified copy of the order and to furnish a copy of the decision to the petitioner within a period of one week thereafter. Needless to mention, if the petitioner is aggrieved by the decision by respondent No.4, the petitioner would be at liberty to challenge the same by way of appropriate proceedings, in accordance with law.

(B.S. Walia)
Judge

29.10.2021

rajesh-renu

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>