

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

CWP-23746-2021

Date of Decision:25.11.2021

RAM NIWAS

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Rahul Makkar, Advocate
for the petitioner.

Ms. Rajni Gupta, Addl. A.G., 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 allow him to join his duties as Peon in the respondent-department.

2. Learned counsel for the petitioner submits that the petitioner had joined his duties as Peon on 23.11.1993 and worked till 30.04.2005. He was thereafter suspended and approached the Labour Court, Faridabad, whereby, vide order dated 17.09.2012, the claim of the petitioner was allowed by holding that he is entitled to be reinstated with continuity in service but he has not received any communication either from his counsel or from the department regarding the above said decision. Learned counsel further submits that subsequently, in the year 2013, due to some mis-happenings that took place in the family of the petitioner, he could not join his duties and when he approached the respondent-department in the year 2020, he was not allowed to join. Learned counsel further submits that qua his aforesaid grievance, petitioner submitted a representation dated 28.09.2020 (Annexure P-3), but to no avail. Hence, the instant petition.

3. Learned State counsel, on advance service, joins proceedings and states that competent authority shall take appropriate decision on the pending representation dated 28.09.2020 (Annexure P-3).

4. At this stage, learned counsel for the petitioner also agrees that let a final decision is taken, either way, by the competent authority on the pending representation dated 28.09.2020 (Annexure P-3), giving reasons thereof.

5. 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.

6. 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 28.09.2020 (Annexure P-3) and keeping in view the contention raised in the present petition by treating the same as supplementary representation and take a decision, in accordance with law.

7. Let the needful be done as expeditiously as possible.

8. Disposed of accordingly.

(ARUN MONGA)
JUDGE

25.11.2021
gurpreet

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No