

116 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-1089-2022
Date of Decision: 03.02.2022

HIMANSHU ADLAKHA AND OTHERS

...Petitioners

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Kulwinder Singh, Advocate
for the petitioners.

Ms. Kirti Singh, D.A.G., Haryana.

(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

Petitioners herein, *inter alia*, seek issuance of a writ in the nature of *mandamus* directing the respondents to re-adjust them in any ESI Dispensary under the Civil Surgeon, ESI Dispensary, Gurugram or in the alternate any other place/institutions of the respondent-department against the vacant post of Peon/Group-D under outsourcing policy-Part II of the Government in terms of instructions dated 02.02.2019 and 13.06.2019 (Annexures P-11 and P-12) issued by the Chief Secretary to Government of Haryana.

2. Learned counsel for the petitioners submits that similarly situated employees approached this Court vide Annexure P-22, and in view of order dated 11.02.2021, they were adjusted at ESI Dispensary, Dharuhera and Rewari. He further submits that qua their grievance, petitioners also caused issuance of a legal notice dated 11.11.2021 (Annexure P-18). However, the same has not been adverted by the respondents till date. Hence, the instant petition.

3. Learned State counsel, on advance service, joins proceedings and submits that competent authority shall take appropriate decision on the

pending legal notice dated 11.11.2021 (Annexure P-18). Learned counsel for the petitioner also proposes the same course.

4. 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.

5. 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 petitioners as per legal notice dated 11.11.2021 (Annexure P-18) and also in view the contentions raised in the present petition by treating the same as supplementary representation and take a decision, in accordance with law.

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

7. Disposed of accordingly.

February 03, 2022
gurpreet

(ARUN MONGA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No