

108.

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

CWP-1704-2020

Date of Decision: 11.07.2022

NARINDER SINGH

.... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Ashok Bhardwaj, Advocate,
for the petitioner.

JAISHREE THAKUR.J (Oral)

The instant writ petition has been filed seeking a writ in the nature of certiorari for quashing the communication dated 16.10.2019 (Annexure P-6) whereby legal notice served upon the respondents for reinstatement of the petitioner as a SPO stands dismissed.

Learned counsel for the petitioner would contend that the petitioner had worked satisfactorily as a SPO since 1992 and had been given a SPO No.1260/PTL. He was eventually discharged from service on the ground of remaining absent. It is contended that there is a policy of the State of Punjab wherein it had been decided to take SPOs back in service and that the said policy would be applicable to the petitioner as well. It is submitted that the legal notice that has been served upon the respondents has been rejected without taking into account the policy. Counsel would submit that the petitioner would be satisfied in case the instant writ petition itself is treated as a representation for reconsidering the reinstatement of the

petitioner in service in terms of the policy relied upon. Counsel would further submit that similarly situated persons have already been reinstated and the petitioner would claim parity with them.

Notice of motion.

At this stage, Ms. Deepali Puri, Addl. AG, Punjab, who is present in Court, accepts notice on behalf of the respondents and submits that the respondents will look into the matter and will take a decision on the request of the petitioner.

Let sufficient number of copies of the complete paper book be supplied to her during the course of day.

Without commenting on merits of the case, the instant petition is disposed of with a direction that the instant writ petition shall be treated as a representation and would be decided by the competent authority within a period of two months, from the date of receipt of certified copy of this order, in accordance with law, and convey the decision to the petitioner. In case of failure to do so, the officer responsible for the lapse would be liable to costs of Rs.20,000/- from his personal pocket, to be deposited with the Punjab and Haryana High Court Advocates Welfare Fund.

(JAISHREE THAKUR)
JUDGE

11.07.2022

sanjeev

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No