

124 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-3612-2022
Date of Decision: 24.02.2022

ASHOK KUMAR

...Petitioner

Versus

STATE OF HARYANA

...Respondent

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Rakesh Sobti, Advocate
for the petitioner.

Mr. Sharan Sethi, Addl. A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, under Articles 226/227 of Constitution of India is for issuance of a writ in the nature of *mandamus* directing the respondent to adjust the petitioner on the post of Class IV (Group D) employees and also to regularize his services at par with one Sh. Laxman, who was also appointed as Waterman but subsequently, his services were regularized.

2. Learned counsel for the petitioner submits that the petitioner joined the respondent-department as Waterman on 01.05.1998 and was performing his duties regularly without any break till 15.01.2003, the date when his services were terminated. Learned counsel further submits that the petitioner was neither given any opportunity of hearing nor issued any show cause notice before termination of his services. He further submits that qua his grievance, petitioner caused issuance of a legal notice dated 20.09.2021 (Annexure P-13), 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 20.09.2021 (Annexure P-13).

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 petitioner as per legal notice dated 20.09.2021 (Annexure P-13) 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 within a period of three months from today.

7. Disposed of accordingly.

February 24, 2022

gurpreet

(ARUN MONGA)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No