

115.

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

CWP-8083-2022

Date of Decision: 28.04.2022

RAMPHAL

.... Petitioner

Versus

STATE OF HARYANA AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Raj Kapoor Malik, Advocate,
for the petitioner.

Ms. Kirti Singh, DAG, Haryana.

JAISHREE THAKUR.J (Oral)

Counsel for the petitioner herein has approached this Court seeking a writ in the nature of mandamus directing respondents to call the petitioner for duty as a Home Guard. It is submitted that the petitioner was working as a Home Guard since the year 2009 and was constantly being called for duty. However, the respondent-department stopped calling him for duty since 2017. It is contended that there is no order dismissing the petitioner from service. It is further contended that the petitioner has already filed a legal notice 30.11.2021 (Annexure P-5), but no decision has been taken thereon as yet.

Notice of motion.

At this stage, Ms. Kirti Singh, DAG, Haryana, who is present in Court, accepts notice on behalf of the respondents-State.

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

The present petition is disposed of with a direction to the official respondents to decide legal notice dated 30.11.2021 (Annexure P-5) of the petitioner while taking into consideration the averments made in the writ petition and pass a speaking order, within a period of two months from the date of receipt of the 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.

28.04.2022

sanjeev

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No