

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

CWP No. 8822 OF 2022

DATE OF DECISION: 28.04.2022

Sandeep Kumar

...Petitioner

Versus

Union of India and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Sandeep Goyal, Advocate,
for the petitioner.

Mr. Alok Kumar Jain, Senior Panel Counsel for
respondent No.1-UOI.

Mr. Sharan Sethi, Additional Advocate General, Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks quashing of order dated 11.12.20220 (Annexure P-4), whereby request of the petitioner to rejoin in service has been declined on the ground that he was in police custody for some time in connection with investigation qua a criminal case.

2. Petitioner was appointed as Emergency Medical Technician under the National Health Mission Scheme on 07.11.2013 at General Hospital, Sonipat on contractual basis. He worked there upto 31.03.2014 and thereafter his term was extended from time to time upto 31.03.2019. Thereafter, petitioner was involved, allegedly in one false case bearing FIR No.90/19, under Section 420/34 IPC registered at Police Station Hari Nagar, Delhi. He was taken into police custody on 16.02.2019 and was released on bail on 16.05.2019. Later, he approached respondent No.3 on 16.05.2019 to rejoin his duties but his request was declined. He also

submitted representation dated 03.11.2020 (Annexure P-3) but the same has not been adverted till date.

3. Learned counsel further submits that services of petitioner were terminated without giving an opportunity of hearing and/or without proving any allegations against him.

4. At this stage, learned counsel for the petitioner states that let a final decision be taken, either way, by the competent authority on the representation dated 03.11.2020 (Annexure P-3) and also by treating the instant writ petition as a supplementary representation, by passing a speaking order.

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 instant writ petition is disposed of with a direction to the respondents to look into the representation dated 03.11.2020 (Annexure P-3) of the petitioner and also by keeping in view the contentions raised in the present petition by treating the same as a representation and decide the same by passing a fresh speaking order, in accordance with law.

7. Let the needful be done within 60 days from today.

8. Disposed of accordingly.

APRIL 28, 2022
Shalini

(ARUN MONGA)
JUDGE

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