

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

132

CWP No.13133 of 2022

Date of Decision: 05.09.2022

Himanshu Gour

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Yesh Paul Malik, Advocate,
for the petitioner.

Mr. Harish Nain, AAG, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

In the present petition, the grievance of the petitioner is that the services of the petitioner were terminated on 04.12.2012 without affording any opportunity of hearing to the petitioner and the said order was passed upon an alleged misconduct.

Learned counsel for the petitioner submits that upon raising the said grievance by him the matter was got inquired into by the Deputy Commissioner and as per the enquiry report dated 24.07.2014 (Annexure P-5) it was found that the alleged misconduct being attributed to the petitioner was incorrect and since then, the petitioner is representing the respondents to grant him the benefit of reinstatement, as the basis on which the services of the petitioner was terminated, has been found to be incorrect.

Learned counsel for the petitioner further submits that in respect of the grievance raised in the present petition, the petitioner has already issued a legal notice to the authorities concerned on 27.03.2022 a copy of which has been appended as Annexure P-8 and the petitioner will be satisfied, at this stage, in case a time bound direction is given to respondent

No.2 to decide the same by passing appropriate speaking order.

Notice of motion.

Mr. Harish Nain, AAG, Haryana accepts notice on behalf of the respondent-State and raises no objection for deciding the legal notice dated 27.03.2022 (Annexure P-8) in a time bound manner by passing an appropriate speaking order.

Without going into the merits of the case or the claim made by the petitioner in the present petition or in the legal notice dated 27.03.2022 (Annexure P-8), the respondent No.2 is directed to decide the legal notice dated 27.03.2022 (Annexure P-8) within a period of eight weeks by passing a speaking order from the receipt of copy of this order. In case, after the passing of the speaking order, it is found that the petitioner is entitled for any relief, the same be released to the petitioner within four weeks thereafter.

Present writ petition stands disposed of.

05.09.2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No