

123.

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

CWP-14595-2022

Date of Decision: 12.07.2022

MAHASUKH

.... Petitioner

Versus

STATE OF HARYANA AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Nafeesh Ahmed, Advocate,
for the petitioner.

JAISHREE THAKUR.J (Oral)

This is a petition that has been filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially in the nature of Mandamus directing the respondents to re-instate/re-enrolled the petitioner on the post of Home Guard.

Counsel appearing on behalf of the petitioner would contend that the petitioner was appointed as a Home Guard in November, 2013. However, after one year i.e. in November, 2014, his services were dispensed with without any show cause notice or providing any opportunity of hearing to him. He made several requests to the respondent department to take him back in service and made number of representations/complaints as well, but no action was taken thereon. He even sent a legal notice dated 01.04.2022 (Annexure P-8), but till date, it has not been decided. Counsel would submit that at this stage, the petitioner would be satisfied in case said legal notice is decided in a time bound manner.

Notice of motion.

At this stage, Ms. Kirti Singh, DAG, Haryana, 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 legal notice 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 present petition is disposed of with a direction to the respondents to decide legal notice dated 01.04.2022 (Annexure P-8) of the petitioner, within a period of four 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.

12.07.2022

sanjeev

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No