

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

CWP-16805-2022 (O&M)

Date of decision: August 17, 2022

Tahir Hussain

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

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

Mr. Pankaj Middha, Additional AG Haryana.

ARUN MONGA, J (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of Certiorari for setting aside order dated 16.05.2022 (Annexure P-6) passed by respondent No.3, whereby claim of the petitioner has been rejected, allegedly on the ground that now there is no policy to readjust the retrenched employees.

2. Pledged case is that petitioner was appointed on contract basis as Lab Technician vide an appointment letter dated 04.03.2014 (Annexure P-1) under National Health Mission. On 30.06.2015 (Annexure P-2), he petitioner received relieving letter from duty due to lack of sanction of post. Respondent No.2 sent various letters to the concerned authorities regarding adjustment of retrenched staff under the NHM. Petitioner approached this Court by way of CWP-8369-2022, which was disposed of vide order dated 25.04.2022 (Annexure P-5) with a direction to the competent authority to look into the grievance of the petitioner as per legal notice dated 28.03.2022

(Annexure P-14). In compliance thereof, respondent No.3-Civil Surgeon, Nuh passed the impugned speaking order dated 16.05.2022 (Annexure P-6) rejecting the claim of the petitioner.

3. On advance service, learned State counsel appears and opposes issuance of notice of motion.

4. I have heard learned counsel for the parties and perused the record.

5. Concededly, petitioner was ordered to be relieved on 30.06.2015 (Annexure P-2), whereas even in the earlier round vide CWP-8369-2022 he approached this Court in the year 2022 after a delay of 7 years. Delay and laches cannot be over looked merely because this court had earlier directed to pass speaking order. Be that as it may, I am in agreement with reasons given in the impugned order dated 16.05.2022 (Annexure P-6). There is no irregularity either in law or even otherwise view taken by the competent authority.

6. Dismissed.

(ARUN MONGA)
JUDGE

August 17, 2022
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No