

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

223

CWP-17763-2017

Date of Decision :21.11.2022

Davinder Singh

...Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Suresh Kumar Kaushik, Advocate for the petitioner.

Mr. Rajesh Gaur, Addl. A.G. Haryana.

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Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner submits that the present writ petition was filed on the apprehension that the petitioner was going to be replaced by similarly situated employees or will be relieved from service by the respondents despite adequate workload. Learned counsel for the petitioner further submits that though, the present petition was filed in the year 2017 but, the petitioner is continuing in service even as of now and prays that an appropriate direction be given to the respondents to allow the petitioner to continue in service so that the petitioner is able to discharge the duties of the post in the manner required.

Learned State counsel submits that once it is a conceded position that even after filing of the present petition, the petitioner is continuing in service, it can be safely stated that the present petition has been filed on the basis of apprehension. Learned State counsel further

submits that the petitioner will be allowed to continue in service in case the claim of the petitioner is covered under the instructions covering the said aspects.

Learned counsel for the petitioner submits that keeping in view the statement of the learned State counsel that the petitioner will be allowed to continue in service in case he is entitled under the instructions covering the said aspect, the present petition may be disposed off having been not pressed any further.

Ordered accordingly. It is made clear that in case respondents violates the undertaking as recorded hereinabove, the petitioner will be at liberty to avail an appropriate remedy.

November 21, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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