

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(108)

CWP No. 25466 of 2021

Date of Decision : 05.04.2022

Bashir Ahmad

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Diwan S. Adlakha, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that in the present case, the petitioner became eligible for consideration of his case for regularization of his services keeping in view the Policy dated 23.03.1998 (Annexure P-1) but keeping in view the fact that the petitioner was facing a criminal proceeding in FIR No. 916 of 1996 at the said point of time, the petitioner was not granted the benefit of regularization of his services due to the same. Learned counsel for the petitioner submits that thereafter, the competent court of law acquitted the petitioner of the allegations in the year 2009 and the respondents regularized the services of the petitioner w.e.f. 02.04.2002. Learned counsel further submits that once the basis, which were taken into consideration while considering the claim of the petitioner in pursuance to Policy dated 23.03.1998 (Annexure P-1) ceased to exist, the

the date when the persons junior to him were regularized in service and, therefore, an appropriate direction needs to be issued to the respondents for the grant of the said prayer to the petitioner. Learned counsel further submits that the said grievance has already been raised by the petitioner in legal notice dated 02.12.2019 (Annexure P-9) sent to the respondents and the petitioner will be satisfied, at this stage, in case a direction is issued to respondent No. 3 to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

Mr. Raman Kumar Sharma, learned Addl. Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents and raises no objection in deciding the legal notice dated 02.12.2019 (Annexure P-9) in a time bound manner by passing an appropriate speaking order.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the legal notice, respondent No. 3 is directed to decide the legal notice dated 02.12.2019 (Annexure P-9), by passing a speaking order within a period of eight weeks from the receipt of copy of this order.

Present writ petition stands disposed of.

April 05, 2022
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes

Whether reportable? No