

Pankaj

...Petitioner

V/S

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

-:-

Present: Mr. Vaibhav Sharma, Advocate,
for the petitioner.

Mr. Saurabh Mohunta, DAG, Haryana.

(Presence marked through Video Conference)

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ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of mandamus directing the respondents to allow him to join on the post of Data Entry Operator/Computer Operator in the Government Medical Hospital, Kandela, District Jind.

2. Learned counsel for the petitioner submits that petitioner joined on the post of 'Data Entry Operator' in the year 2018 on the basis of outsourcing policy and continued till 12.10.2020. On 03.09.2021, in compliance of letter dated 28.05.2021 issued by Health Minister, Haryana, petitioner was again allowed to join. Thereafter, Director General, Haryana also issued a letter dated 12.10.2021 that no person will be removed from service, who was working on outsourcing policy in the year 2021-21. Chief Medical Officer removed the petitioner from service on 22.10.2021 without any reason, despite the letters issued by Health Minister, Haryana as well as Director General Haryana. Learned counsel further submits that petitioner qua his aforesaid grievance caused issuance of a legal notice dated 10.11.2021 (Annexure P-3) but the same has not been adverted by the respondents till date. Hence, the instant petition.

3. On advance service, learned State counsel joins proceedings and opposes issuance of notice of motion and submits that competent authority shall take decision either way, on the pending legal notice of the petitioner, in due course.

4. Learned counsel for the petitioner also agrees that let a final decision be taken, by the competent authority on the pending legal notice dated 10.11.2021 (Annexure P-3).

5. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

6. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the competent authority to look into the grievance of the petitioner as per legal notice dated 10.11.2021 (Annexure P3) and also by keeping in view the contentions raised in the present petition by treating the same as supplementary representation and take a decision, in accordance with law.

7. Let the needful be done within a period of 02 months from today.

8. Disposed of accordingly.

(ARUN MONGA)
JUDGE

January 10, 2022
vandana

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