

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

CWP-26952-2022 (O&M)

Date of decision: November 24, 2022

Rakesh Kumar

....Petitioner

versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr.Aditya Yadav, Advocate for the petitioner.

Mr. Pankaj Middha, Additional AG Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of an appropriate writ in the nature of Certiorari seeking to quash sanction order dated 15.07.2021 (Annexure P-6) of leave for higher studies to the petitioner and revised sanction order dated 21.02.2022 (Annexure P-8) vide which the petitioner was granted extraordinary leave (without pay) instead of study leave despite the petitioner being fully eligible for study leave as per Rule 50 of the HCS (Leave) Rules, 2016.

2. *Qua* his grievance, petitioner has also served representation dated 23.09.2022 (Annexure P-9), but the same have not been adverted by respondents till date. Hence the petition.

3. On advance service, learned State counsel appears and submits that a decision will be taken by competent authority, either way, on the pending representation dated 23.09.2022 (Annexure P-9) by passing a speaking order.

4. At this stage, learned counsel for the petitioner also seeks decision on the pending representation, as suggested by learned State counsel.

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 instant writ petition is disposed of with a direction to the respondents to look into the pending representation dated 23.09.2022 (Annexure P-9) of the petitioner, and pass an administrative order, in accordance with law.

7. Let the needful be done within a period of 2 months from today. If any favourable order is passed, benefit thereof be accorded within a period of 30 days.

8. Disposed of accordingly.

(ARUN MONGA)
JUDGE

November 24, 2022
mahavir

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No