

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(106)

CWP-1581-2023

Date of decision : 27.01.2023

Anju Gulati

...Petitioner

Versus

The State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Ms. Gitanjali Chhabra, Advocate
for the petitioner.

...

SUVIR SEHGAL, J. (Oral)

Instant Writ petition has been filed under Article 226/227 of the Constitution of India seeking issuance of a writ specially in the nature of mandamus directing the respondents to re-engage/re-instate the petitioner w.e.f. 01.04.2016 along with all consequential benefits.

Counsel for the petitioner submits that the petitioner was engaged on contractual basis as Civil Registration Assistant on 02.04.2008 and her contract was extended from time to time. Counsel submits that during her engagement, an FIR bearing No.502 dated 18.12.2013 was lodged under Sections 420, 467, 468, 471 and 120-B, IPC, at Police Station S.G.M. Nagar, Faridabad, wherein, the petitioner was named as an accused, even though, she was not involved. Counsel submits that petitioner was dis-engaged on 31.03.2016 and she approached this Court by filing CWP-15974-2016. Counsel has made a reference to order dated 14.09.2016, Annexure P-5, passed by this Court, to submit that while withdrawing the

writ petition, liberty was granted to the petitioner to approach the Court afresh seeking engagement in the eventuality of an acquittal. Reference has also been made to order dated 29.11.2022/ 30.11.2022, Annexure P-6, to submit that the petitioner has been acquitted in the FIR and she submitted representation dated 05.01.2023, Annexure P-7, to the Civil Surgeon, Faridabad-respondent No.3, which has not been considered. Counsel submits that the petitioner would be satisfied in case a direction is issued to the respondent concerned to look into the representation.

Notice of motion.

On asking of the Court, Mr. Pankaj Middha, Additional Advocate General, Haryana, accepts notice on behalf of the respondents.

Given the nature of order being passed, this Court does not deem it necessary to call for a response from the respondents.

Having considered the submissions made by counsel for the parties, but without examining the claim on merits, writ petition is disposed of with a direction to respondent No.3 to examine the representation, Annexure P-7.

In case, petitioner is not found entitled to be re-engaged/re-instated, a speaking order be passed within a period of 4 months from the date of communication of a copy of this order.

(SUVIR SEHGAL)
JUDGE

27.01.2023
Pardeep

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes