

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-2343-2023 (O&M)
Date of decision: 13.04.2023

Ishwar Singh

...Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. S.S. Sahu, Advocate for the petitioner.

Mr. Sunil Kumar Vashisth, DAG Haryana.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in the present petition is for issuance of a writ in the nature of Mandamus directing the respondent No.2 to decide the stay application accompanying the appeal filed against the impugned order dated 16.11.2022 (Annexure P-5) passed by respondent No.3.

Learned counsel for the petitioner submits that the sole issue is that the appeal of the petitioner is still pending before the Director General of School Education, Haryana. He also draws the attention of this Court towards the order dated 12.12.2022 passed by a Coordinate Bench in CWP-28502-2022, which was disposed of on the statement of learned State counsel that in case, any remedy of representation is invoked by the petitioner by filing any appeal against the orders dated 16.11.2022 and 02.12.2022, the same will be decided within a period of eight weeks of the receipt of any such representation. It is further submitted that the appeal preferred by the

petitioner on 23.12.2022 has not been decided as yet, despite issuance of aforesaid directions.

Learned State counsel submits that he has instructions from respondent No.2-Director General of School Education, Haryana, to seek two months more time for deciding the appeal preferred by the petitioner.

I have heard the learned counsel for the parties and have also gone through the paper-book.

Vide order dated 12.12.2022, directions were issued by the Coordinate Bench that if the petitioner filed an appeal against the orders dated 16.11.2022 and 02.12.2022, the same would be decided within a period of eight weeks, but the same has not been decided till date.

In view of the above, the present petition is disposed of with a direction to respondent No.2- Director General of School Education, Haryana, to decide the appeal dated 23.12.2022 preferred by the petitioner by passing a speaking order within a period of one month from the date of receipt of copy of a this order, in accordance with law.

It is made clear that in case, the appeal is not decided within one month, respondent No.2- Director General of School Education, Haryana, shall be liable to pay costs of Rs. 20,000/- from his own pocket, in favour of Punjab and Haryana High Court Advocates Welfare Fund.

(HARNARESH SINGH GILL)
JUDGE

13.04.2023
Mangal Singh

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No