

113.

2023:PHHC:041925

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

CWP-5827-2023

Date of Decision: 21.03.2023

SATISH KHURANA

.... Petitioner

Versus

STATE OF HARYANA AND ANOTHER

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present: Mr. Ravinder Malik (Ravi), Advocate, for the petitioner.

JAISHREE THAKUR.J (Oral)

The present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction in the nature of certiorari for quashing order dated 11.11.2022 Annexure P-7 whereby the request of the petitioner for being allowed to join on the post of Steno-typist pursuant to his selection and appointment, has been declined.

Learned counsel appearing on behalf of the petitioner would submit that the petitioner, being eligible, had applied for the post of Steno-typist pursuant to a selection process that was initiated and he was offered appointment, however, as he was already working with the District and Sessions Judge, Hoshiarpur, he applied to be relieved, which relieving order was not passed, consequent thereto, he could not submit his joining report. Now vide impugned order dated 11.11.2022, his request for joining has been declined. Learned counsel would submit that delay in joining cannot be attributed to the petitioner since he was not relieved by the authorities concerned. Counsel would further submit that his appeal is pending and no

orders have been passed thereon and at this stage, the petitioner would be satisfied in case the said appeal is decided in accordance with law in a time bound manner.

Notice of motion.

At this stage, Mr. Anant Kataria, DAG, Haryana, who is present in Court, accepts notice on behalf of respondent No.1. Appearance has also been caused by Mr. Padamkant Dwivedi, Advocate, on behalf of respondent No.2.

Let adequate number of copies of the writ petition be furnished to the respective counsel appearing on behalf of the respondents during the course of the day.

Without commenting on merits of the case and keeping in view the fact that the appeal of the petitioner is pending consideration against the order whereby permission has not been allowed to join, the present petition is disposed of with a direction to respondent No.1 to decide the appeal of the petitioner within a period of one month from the date of receipt of certified copy of this order, in accordance with law and convey the decision to the petitioner. In case of failure to do so, the officer responsible for the lapse would be liable to costs of Rs.20,000/- from his personal pocket, to be deposited with the Punjab and Haryana High Court Advocates Welfare Fund.

(JAISHREE THAKUR)
JUDGE

21.03.2023

sanjeev

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No