

CM-4961-CWP-2023 in/and
CWP No. 11375 of 2022

2023:PHHC:134274

1

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(109+270)

CM-4961-CWP-2023 in/and
CWP No. 11375 of 2022
Date of Decision : 16.10.2023

Narender

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. R.K. Malik, Senior Advocate with
Mr. Sachmeet Singh Randhawa, Advocate for the petitioner.

Mr. Tapan Kumar Yadav, Deputy Advocate General,
Haryana.

Harsimran Singh Sethi J. (Oral)

CM-4961-CWP-2023

Present application has been filed for placing on record
replication to the written statement filed on behalf of respondents No. 1
to 3.

Application is allowed and replication to the written
statement filed on behalf of respondents No. 1 to 3 is taken on record.

CWP-11375-2022

Learned senior counsel appearing on behalf of the petitioner
submits that as per the reply filed by the respondents, they have only had
four posts to adjust the five petitioners in CWP No. 15996 of 2020 and
they have already adjusted four according to their seniority, whereas the
petitioner could not be adjusted due to the non-availability of a post

against which the petitioner could discharge the duties. Learned senior counsel submits that even as of now, sufficient number of posts in the Cadre in which the petitioner is discharging the duties, are available and the petitioner can be adjusted in anyone of those and the petitioner intends to approach the respondents with the said plea and the data that the petitioner can be adjusted against one of the post, which is lying vacant without disturbing anybody or taking away the right of any other person.

Learned State counsel submits that in case, any such representation is filed alongwith the data concerned, appropriate consideration with open mind will be given and an appropriate order will be passed within a period of eight weeks of the receipt of any such representation and in case, the claim of the petitioner is found genuine, appropriate relief will be given to the petitioner within a further period of four weeks otherwise, due reasons will be mentioned in the speaking order.

Learned senior counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further, with liberty as prayed for.

Ordered accordingly.

October 16, 2023
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

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