

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(133)

CWP-10616-2023 (O&M)

Date of decision: - 07.08.2023

Juber

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Arun Sharma, Advocate
for the petitioner.

Ms. Rajni Gupta, Additional Advocate General, Haryana.

VIKAS BAHL, J. (ORAL)

1. This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondent authorities to grant the duties to the petitioners as volunteer home guard.

2. Learned counsel for the petitioner has submitted that the petitioner has given a representation dated 07.02.2023 (Annexure P-2) alongwith CM-9562-CWP-2023 for the redressal of his grievance and till date no order has been passed on the same. It is further submitted that although the same has been given to the Centre Commandant Home Guard, Haryana, Nuh, but it is the respondent No.5 who is the competent authority to take a decision on the same at the first instance. It is also submitted that the petitioner would be satisfied in case the present writ petition is disposed of with a direction to respondent No.5 to consider the

representation dated 07.02.2023 (Annexure P-2) alongwith CM-9562-CWP-2023 as expeditiously as possible.

3. Learned State counsel has submitted that the direction to consider the said representation should not be construed as condoning the delay in approaching the Court.

4. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to respondent No.5 to consider the representation dated 07.02.2023 (Annexure P-2) alongwith CM-9562-CWP-2023, in accordance with law, as expeditiously as possible, preferably within a period of two months from the date of receipt of certified copy of the present order and in case, after considering the same, the plea of the petitioner is found to be meritorious, then necessary relief be granted to the petitioner and in case, the plea of the petitioner is not found to be meritorious, then a speaking order rejecting the same be passed.

5. It is made clear that present order should not be construed as condoning the delay in approaching this Court.

6. It would be open to respondent No.5 to consider all the aspects and take a decision on the representation, independently, in accordance with law.

7. Pending application, if any, stands disposed of in view of the above-said order.

August 07, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No