

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

**CWP-12842-2023 (O&M)
Date of decision: 02.06.2023**

Saroj

...Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Ms. Vibha Nagar, Advocate for the petitioner.

HARNARESH SINGH GILL, J. (ORAL)

Prayer in the present petition is for issuance of a writ in the nature of Certiorari quashing the order dated 10.04.2023(Annexure P-4) issued by respondent No.3, whereby respondent No.5 has wrongly been appointed as Cook-cum-Helper in the respondent No.4-School under Mid Day Meal Scheme.

Learned counsel for the petitioner has drawn the attention of this Court towards the office memo dated 05.02.2013 (Annexure P-3) 'General conduct of Cook-cum-Helper' issued by the Director Elementary Education, Haryana, wherein it has specifically been mentioned that Cook-cum-Helper should be member of Registered Self Help Group (to be registered with ADC) preference should be given to SC/BC women/widow/whose children are studying in the school, aged between 22 to 50 years. It is further submits that respondent No.5 does not fulfill the requirements as prescribed in office memo dated 05.02.2013 (Annexure P-3). Even the objections raised on

21.04.2023 by the members of Self Help Group have also not been taken into consideration while appointing respondent No.5.

After arguing for some time, learned counsel for the petitioner submits that the petitioner has already served a legal notice dated 07.05.2023 (Annexure P-8), which is still pending consideration. It is further submitted that the petitioner will be satisfied in case a time bound direction is issued to respondent No.2 to decide the said legal notice.

Notice of motion to respondent Nos.1 to 4 only at this stage.

On the asking of this Court, Mr. Sanjeev Kaushik, Addl. AG Haryana, accepts notice on behalf of respondent-State and submits that he has no objection in case, the directions for deciding the representation aforesaid, are issued.

In view of the above, without expressing any opinion on the merits of the case, respondent No.2-Director, Elementary Education Haryana, is directed to decide the legal notice dated 07.05.2023 (Annexure P-8) by passing a speaking order within a period of eight weeks from the date of receipt of certified copy of this order, in accordance with law.

Disposed of.

(HARNARESH SINGH GILL)
JUDGE

02.06.2023
Mangal Singh

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