

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

230

CWP-11360-2018 (O&M)

Date of Decision: 15.03.2023

SHER SINGH

... Petitioner

Versus

STATE OF HARYANA AND ORS

... Respondents

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Jawahar Lal Goyal, Advocate
for the petitioner.

Ms Tanushree Gupta, DAG Haryana.

HARNARESH SINGH GILL, J.(Oral)

Prayer in this petition is for issuance of a writ in the nature of Mandamus directing the respondents to issue relieving order and attendance for the petitioner for the period 01.09.2017 to 14.09.2017 along with all the consequential benefits.

Learned counsel for the petitioner submits that the petitioner was performing the duty of Legal officer in the office of respondent No.3-District Elementary Education Officer, Rohtak and that the aforesaid period was wrongly considered as absent from the duty.

On the other hand, learned State counsel submits that the petitioner had been on duty on 06.09.2017 and 07.09.2017 only, whereas by way of the present petition, the petitioner is demanding attendance from 01.09.2017 to 14.09.2017, which cannot be allowed. She further submits that the petitioner was initially appointed as Master

(Mathematics) now Trained Graduate Teacher (TGT); that having had the qualification of LL.B, the petitioner was deputed at the Office of respondent No.3 and that the petitioner failed to annex any order, which could prove that he was actually deputed in the said order.

I have heard the learned counsel for the parties.

Since there is a dispute regarding the duty period w.e.f. 01.09.2017 to 14.09.2017, this Court deems it appropriate to appoint an Inquiry Officer in the present case, so that an inquiry can be conducted and a logical conclusion drawn.

In view of the above, the present petition is disposed of with directions to respondent No.2-Director, Department of Elementary Education, Haryana, to appoint an Inquiry Officer and an inquiry be conducted with regard to the averments made by the petitioner in the present petition, after giving due opportunity of hearing to both the parties.

Let the inquiry be concluded within one year from the date of receipt of the certified copy of this order, as per law.

15.03.2023

Aman Jain

(HARNARESH SINGH GILL)

JUDGE

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*