

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 123

Civil Writ Petition No.13920 of 2023
Date of Decision: July 05, 2023

Mohd. Haider

..... PETITIONER(S)

VERSUS

State of Haryana and others

..... RESPONDENT(S)

. . .

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

. . .

PRESENT: - Mr. Diwan S. Adlakha, Advocate for the petitioner.

Mr. Harish Nain, DAG, Haryana.

. . .

Tribhuvan Dahiya, J. (Oral)

This petition has been filed seeking a writ of *mandamus* directing the respondents not to replace the petitioner with a daily wager or with any other employee in the absence of any regular appointment.

2. The petitioner admittedly was appointed as a tubewell operator by respondent No.7, Gram Panchayat Sayyad Chhapra, Block Kunjpura, District Karnal. It is apprehended that his services will be discontinued on account of party politics, though no regularly appointed person has been made available to replace him.

3. Learned State counsel appearing on advance notice has placed reliance upon the judgment passed by a Coordinate Bench in Civil Writ Petition No.7154 of 2017 titled *Jaswant Singh v. State of Haryana and others*, relating to the controversy at hand, wherein it has been held that appointees of the gram panchayat have an alternate remedy under Section 47 of the Haryana Panchayati Raj Act, 1994.

4. In view of the law laid down by the Coordinate Bench in

Jaswant Singh's case (supra), this Court finds no ground to entertain the petition. The same accordingly stands disposed of with liberty to the petitioner to avail the alternate remedy under Section 47 of the Haryana Panchayati Raj Act, 1994, if so advised.

5. Disposed of.

(Tribhuvan Dahiya)
Judge

July 05, 2023
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<u>Whether Speaking/ Reasoned:</u>	<u>Yes/ No</u>
<u>Whether Reportable:</u>	<u>Yes/ No</u>