

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

(139)

**CWP-16948-2023****Date of decision: - 07.08.2023****Sonu****....Petitioner****Versus****State of Haryana and others****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Narayan Prasad Gupta, Advocate, for the petitioner.

Ms. Rajni Gupta, Additional Advocate General, Haryana.

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**VIKAS BAHL, J. (ORAL)**

1. This writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of an appropriate writ, order or direction especially in the nature of certiorari seeking quashing the delisting/releasing order passed by respondent No.3, with a further prayer to re-nominate/reinstate the petitioner to the post of Home Guard in view of the letter dated 19.08.2021 (Annexure P-23) issued by the Commandant General Home Guards to the District Commandant Home Guard, Haryana.

2. Learned counsel for the petitioner has submitted that vide letter dated 19.08.2021 (Annexure P-23), the Commandant General Home Guards, Haryana had directed the District Commandant Home Guard, Haryana to re-nominate the two volunteers home guard one of which was the present petitioner and has submitted that inspite of the said order, the petitioner has not been re-nominated and the order of the Commandant General Home Guard, Haryana has not been complied with. It is further

submitted that for the grievances raised by the petitioner, the petitioner has sent a legal notice dated 28.08.2022 (Annexure P-30) and he would be satisfied, at this stage, in case respondent No.3 is directed to consider the same in accordance with law in a time bound manner.

3. Learned State counsel has submitted that respondent No.3 would consider the said legal notice dated 28.08.2022 (Annexure P-3) as expeditiously as possible, preferably, within a period of six weeks from the date of receipt of certified copy of this order.

4. Keeping in view the above-said facts and circumstances, the present petition is disposed of with a direction to respondent No.3 to consider the legal notice dated 28.08.2022 (Annexure P-30) as expeditiously as possible, preferably, within a period of six weeks from the date of receipt of certified copy of this order. In case after considering the same, respondent No.3 is of the opinion that the pleas raised by the petitioner are meritorious, then, the necessary relief be granted to him in accordance with law and in case, respondent No.3 is of the opinion that the pleas raised by the petitioner are meritless, then, a speaking order rejecting the claim of the petitioner be passed within a period of six weeks from the date of receipt of certified copy of this order.

7. It is made clear that this Court has not opined on the merits of the case and respondent No.3 would consider the said legal notice independently, in accordance with law.

**August 07, 2023**  
naresh.k

**( VIKAS BAHL )**  
**JUDGE**

Whether reasoned/speaking?  
Whether reportable?

Yes/No  
Yes/No