

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

(209)

CWP-9592-2017

Date of Decision : September 13, 2023

Bhim Sain

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Manish Prabhaker, Advocate, for the petitioner.

Mr. Harish Rathee, Sr. Deputy Advocate General, Haryana.

Mr. Pankaj Gupta, Advocate, for respondent No.5.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present petition, the claim of the petitioner is that the petitioner was appointed as Data Entry Operator in the office of respondent No.4 but vide impugned order dated 03.04.2017 (Annexure P-1), services of the petitioner were terminated without any valid justification.

2. Learned counsel for the petitioner submits that though the approval for continuation in service had come to an end on 31.03.2017 but as the work of the said post existed, which fact is clear from the letter written by the respondents themselves, copy of which has been appended with this petition as Annexure P-11, the petitioner was entitled to continue in service whereas, the petitioner was relieved from service in an arbitrary manner.

3. Learned counsel for the petitioner further submits that the petitioner will be satisfied in case his claim is considered by the respondents for appointment as Data Entry Operator in case the work of the said post exist even as of now.

4. Learned State counsel submits that in case any claim is raised by the petitioner that the work of the post of the Data Entry Operator still exist with the respondents, the same will be considered in accordance with law keeping in view the instructions issued by the Government of Haryana and in case the authorities are of the view that the work of the post of the Data Entry Operation still exist, appropriate relief will be given to the petitioner by passing an appropriate order within a period of eight weeks of the receipt of any such claim. Learned State counsel further submits that in case keeping in view the facts and circumstances, the work of the post of Data Entry Operator does not exist, appropriate order will be passed supporting the said conclusion with the reasons.

5. Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further with liberty to the petitioner to file appropriate representation with the respondents.

6. Ordered accordingly.

September 13, 2023
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No