

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

114

CWP No. 22701-2023 (O&M)
Decided on : 09.10.2023

Dharmender Singh

. . .Petitioner

Versus

State Of Haryana And others

. . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Fakir Chand Goel, Advocate for
Mr. Priyavrat Parashar, Advocate for the petitioner.

Mr. Pankaj Middha, Additional Advocate General, Haryana.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, the grievance of the petitioner is that he was working as a Tube-well Operator but in an arbitrary manner, he was removed from the service and respondent No. 8 namely Shamsher Singh was appointed on the place of the petitioner and that too without following the due process envisaged under the law.

2. Learned counsel for the petitioner submits that the Gram Panchayat has already passed a resolution for the removal of Shamsher Singh and for appointing the petitioner, but no decision is taken by the Government qua the said resolution passed by the Panchayat concerned. Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance in the representation dated 07.08.2023 (Annexure P-9) but the same is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

3. Notice of motion.

4. On the asking of the Court, Mr. Pankaj Middha, learned

Additional Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the representation dated 07.08.2023 (Annexure P-9) has been received in the office of the concerned authorities and the same is still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of eight weeks of the receipt of certified copy of this order by passing an appropriate speaking order and in case, after the decision, the petitioner is found entitled for any benefit, the same will be extended to him within a further period of four weeks.

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.

6. Ordered accordingly.

7. It may be noticed that as the petitioner has been raising his grievance for appointment in place of Shamsher Singh (respondent No. 8), before passing any appropriate order respondent No. 8 be given an opportunity to defend himself, so that, no prejudice is caused to him while deciding the said representation.

(HARSIMRAN SINGH SETHI)
JUDGE

09.10.2023

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Whether speaking/reasoned: Yes/~~No~~
Whether Reportable: ~~Yes~~/No