

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

(120)

CWP-27371-2023

Date of decision: - 06.12.2023

Vikas Kumar alias Vikas Yadav**....Petitioner****Versus****State of Haryana and others****.....Respondents****CORAM : HON'BLE MR. JUSTICE VIKAS BAHL**

Present:- Mr. Suresh Kumar Kaushik, Advocate, for the petitioner.

Ms. Palika Monga, DAG, Haryana.

VIKAS BAHL, J. (ORAL)

1. Present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to maintain lien of the petitioner and implead the name of the petitioner at its original number in the seniority list of his parental cadre/unit i.e. HAP Madhuban (Karnal) along with all consequential benefits keeping in view the Punjab Police Rules, 1934 and the law laid by the Hon'ble Full Bench of this Court in "Niranjan Singh Vs. State of Punjab", reported as 1999(2) SCT 154.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner, he would give a detailed representation to respondent No.1-State and annex the relevant law along with the said representation and prays that at this stage, he would be satisfied in case competent authority of respondent No.1 considers the said representation, in accordance with law, in a specified time frame and

in case the pleas raised by the petitioner are found to be meritorious, then, grant the appropriate relief.

3. Learned State counsel has submitted that the competent authority of respondent No.1-State would consider the said representation in accordance with law within a period of two months from the date of submission of the same.

4. Keeping in view the above-said facts and circumstances, the present petition is disposed of in the following terms: -

- (i) It would be open to the petitioner to give a detailed representation to respondent No.1-State within a period of two weeks from today.
- (ii) In case any such representation is filed by the petitioner, competent authority of respondent No.1-State would consider the same within a period of two months from the date of submission of the said representation and in case after considering the said representation, competent authority of respondent No.1-State is of the view that the pleas raised by the petitioner are meritorious, then, the appropriate relief be granted to him as expeditiously as possible. In case competent authority of respondent No.1-State is of the view that the pleas raised by the petitioner are meritless, then, a speaking order rejecting the claim be passed within the aforesaid period of two months.

4. It is made clear that this Court has not opined on the merits of the case and respondent No.1-State would consider and decide the matter independently, in accordance with law.

December 06, 2023
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No