

241(1)

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

CWP-985-2020

Date of decision: 19.03.2024

Manu Kumar

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. J.P. Bhatt, Advocate for the petitioner.

Ms. Neha Sonawane, DAG, Punjab.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226/227 of the Constitution of India for the issuance of a writ in the nature of certiorari for quashing the office order dated 13.03.2019 (Annexure P-5) issued by respondent No.2 vide which the case of the petitioner for regularization has been rejected.

2. Learned counsel for the petitioner has submitted that the respondent authorities have issued latest instructions dated 16.05.2023 and the case of the petitioner is covered by the said instructions and as per the said instructions, the services of the petitioner are to be regularized. It is further submitted that the petitioner would give a detailed representation annexing the said policy to the competent authority of respondent No.1-State and he would be satisfied at this stage, in case, the competent authority of respondent No.1-State is directed to consider the

said representation in a time bound manner and in case, the pleas raised by the petitioner are found to be meritorious, then, to grant necessary relief, in accordance with law.

3. Learned State Counsel has submitted that the competent authority of respondent No.1-State would consider the abovesaid representation, in accordance with law, as expeditiously as possible, preferably within a period of two months from the date of receipt of the said representation.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with direction to the competent authority of respondent No.1-State to consider the abovesaid representation, in accordance with law, within a period of two months from the date of receipt of the abovesaid representation and in case, the pleas raised by the petitioner are found to be meritorious, then, the competent authority would grant necessary relief, in accordance with law and in case, the competent authority is of the opinion that the pleas raised by the petitioner are not meritorious, then, a speaking order rejecting the same be passed within a period of two months from the date of receipt of the said representation.

5. This Court has not opined on the merits of the case and the competent authority of respondent No.1-State would consider the case of the petitioner independently, in accordance with law.

19.03.2024
Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No