

CWP-2325-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-2325-2024
Date of Decision: 05.02.2024

Vikas Dang Petitioner
Versus

State of Haryana and others Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. R.S. Mamli, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari*, *mandamus* or in any other nature thereby directing the respondents to reinstate the petitioner and to pay all the consequential benefits with interest.

2. Learned counsel for the petitioner submitted that the petitioner was working on contractual basis as an Assistant Lineman in the respondents-Department and while in service he suffered an accident due to an electric shock and thereafter, he was relieved from service. He further submitted that the petitioner had filed a representation to the respondent-Department that he had suffered an electric shock while he was discharging his duties and therefore, he is not only entitled to reinstatement but also for compensation and on the representation given by the petitioner to the Department, an inquiry as per Annexure P-7 is pending. He further

submitted that the aforesaid Annexure P-7 is of September, 2022 and about 1½ years have elapsed and no decision has been taken on the representation given by the petitioner. He submitted that the petitioner confines the scope of the present petition only to the extent that at this stage his representation in which inquiry is pending vide Annexure P-7 is taken to its logical conclusion and an appropriate order be passed in accordance with law. He also submitted that similar kind of persons have been granted relief by the same Department but the petitioner has been discriminated against.

3. Notice of motion.

4. Mr. Samarth Sagar, Addl. A.G., Haryana, who is present in the Court, has accepted notice on behalf of the respondents and has stated that in view of the limited prayer of the petitioner for considering and deciding the representation regarding which inquiry is pending vide Annexure P-7, he has no objection to the same and time framework may be fixed in this regard.

5. In view of the aforesaid position, without calling for the reply from the respondents and without observing anything on the merits of the case, the present petition is disposed of with a direction to respondent No.3/5/competent authority to consider and decide the representation of the petitioner which is so reflected in Annexure P-7 strictly in accordance with law by passing a well-reasoned speaking order within a period of three months from today.

6. Needless to say that the submissions which have been made by the learned counsel for the petitioner pertaining to the ground of discrimination shall also be considered by the competent authority.

7. Apart from the above, before deciding the aforesaid representation, the petitioner or his counsel shall also be afforded an opportunity of hearing and thereafter, a speaking order shall be passed in accordance with law and the same shall be conveyed to the petitioner.

05.02.2024

(JASGURPREET SINGH PURI)
JUDGE

Bhumika

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No