

132

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-6489-2024
Date of Decision: 18.03.2024

Pankaj

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. T.S. Chauhan, Advocate
for the petitioner.

HARSH BUNGER J. (ORAL)

1. Petitioner (Pankaj) has filed the present petition under Articles 226/227 of the Constitution of India, for issuance of a writ in the nature of Mandamus, directing the respondents to allow him to continue in service as he is stated to have been selected/appointed to the post of District Programme Manager by the competent authority, after following the proper selection procedure.

A further prayer has been made by petitioner to quash order dated 08.02.2024 (Annexure P-18) *qua* him.

2. At the outset, learned counsel for the petitioner submits that as regards the relief claimed in the present writ petition, the petitioner has served a representation dated 20.02.2024 (Annexure P-21) upon respondents No.3 and 4 apprehending that he is being removed from service on the false reason that he is not fulfilling the conditions of necessary experience; however, the said representation has not been decided till date. It is submitted that the petitioner would be satisfied at this stage, if a direction is

issued to respondent No.3 to consider/decide the aforesaid representation dated 20.02.2024 (Annexure P-21), in a time bound manner.

3. Notice of motion.

4. At the asking of Court, Mr. Harish Nain, Assistant Advocate General, Haryana accepts notice on behalf of the respondent/State and submits that being a Welfare Estate, all the actions taken by State are in accordance with law; and in case, the aforesaid representation dated 20.02.2024 (Annexure P-21) has been served and received in the concerned Office then the same shall be looked into/decided by the concerned authority and an appropriate speaking order will be passed.

5. Learned State counsel further submits that in order to do away the apprehension that due opportunity to the petitioner will not be given before forming the opinion, the appropriate authorities will give a personal hearing to the petitioner also before forming any opinion so as to pass appropriate order on the issue in hand.

6. Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present writ petition may kindly be disposed of having been not pressed any further with liberty to the petitioner to agitate his claim, in case any order causing prejudice to him is passed, by availing appropriate remedy as available to him under law.

7. Ordered accordingly.

8. All pending application(s), if any, shall also stand closed.

18.03.2024

Apurva

(HARSH BUNGER)
JUDGE