

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(116)

CWP No. 9725 of 2024
Date of Decision : 30.04.2024

Baljeet

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vikas Lochab, Advocate for the petitioner.

Harsimran Singh Sethi J. (Oral)

1. Learned counsel for the petitioner submits that in Gram Panchayat Beri Khera, District Jind, one post of Sweeper became available after the services of one Krishan, who was working on the said post as such, were terminated vide order dated 06.03.2018 (Annexure P-1). Learned counsel for the petitioner further submits that the petitioner has been appointed on the said post after the services of Krishan were terminated but as, the termination order was challenged by said Krishan by filing CWP No. 6282 of 2019 and the termination order was stayed, the services of the petitioner were dispensed with.
2. Learned counsel for the petitioner further submits that said writ petition i.e. CWP No. 6282 of 2019 was disposed of on 11.05.2023 (Annexure P-17) with liberty to Krishan to approach the authorities

concerned for the redressal of his grievance and no such remedy has been availed by Krishan but the petitioner is not being allowed to discharge the duties on the said post, which act of the respondents is totally arbitrary and illegal, hence, respondents are liable to be directed to grant the petitioner the benefit of appointment as Sweeper.

3. Learned counsel for the petitioner submits that the petitioner has already filed various representations claiming the said relief and the latest one was dated 04.01.2024 (Annexure P-30) 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.

4. Notice of motion.

5. On the asking of the Court, Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the representation dated 04.01.2024 (Annexure P-30) 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 from the date of the receipt of certified copy of this order by passing an appropriate speaking order. Learned counsel for the respondents further submits that in case, it is found feasible to accept the claim of the petitioner, the same

will be accepted, otherwise due reason will be given for not accepting the claim of the petitioner in the speaking order to be passed.

6. 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.

7. Ordered accordingly.

April 30th, 2024
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No