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

CM-4288-CWP-2024 in/and
CWP-9088-2023 (O&M)
Date of decision: 14.03.2024

Paramjeet Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Parminder Singh, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana.

VIKAS BAHL, J. (ORAL)

CM-4288-CWP-2024

1. This is an application filed under Section 151 CPC for preponement of the date of hearing in the main case from 17.07.2024 to an early date.

2. For the reasons stated in the application, the same is allowed and the date of hearing in the main case is preponed from 17.07.2024 to today and same is taken on Board today itself for final disposal.

Main case

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 mandamus directing the respondents to appoint and permit the petitioner to join the

duties in the light of offer letter dated 01.02.2023 (Annexure P-4) on the post of Driver-ERV having selected in pursuance to the advertisement dated 23.12.2022 (Annexure P-2).

2. Learned counsel for the petitioner has submitted that in the present case, primary reason for not appointing the petitioner was the fact that in FIR No.127 dated 24.03.2015 registered under Sections 148, 149, 323, 324, 506 of IPC, the petitioner had been summoned under Section 319 Cr.P.C.. It is further submitted that vide judgment dated 12.02.2024, the petitioner along with other accused have been acquitted in the said case and copy of the said judgment dated 12.02.2024 has been annexed as Annexure P-8. It is contended that at any rate, the competent authority of respondents be directed to reconsider the matter in the light of the subsequent facts of the petitioner having been acquitted vide abovesaid judgment.

3. Learned State Counsel has submitted that in view of the said fact, the competent authority of respondent No.1-State would reconsider the matter within a period of two months from today, in accordance with law.

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 reconsider the matter, in accordance with law, within a period of two months from today 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 today.

5. This Court has not opined on the merits of the case and the competent authority of respondent No.1-State would reconsider the case of the petitioner independently, in accordance with law.
6. All the pending miscellaneous applications, if any, shall stand disposed of in view of the abovesaid order.

14.03.2024
Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:-	Yes/No
Whether reportable:-	Yes/No