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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-11162-2024
Date of decision: 14.05.2024

Raj Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Mazlish Khan, Advocate for the petitioner.

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

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 mandamus directing the respondents to allow the petitioner to join his previous place of posting and rank in view of the dismissal order dated 05.10.2023 (Annexure P-4) passed by respondent No.5 already being set aside by respondent No.4 vide order dated 19.12.2023 (Annexure P-5) and release all his consequential benefits.

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner in the present writ petition, the petitioner had given a legal notice dated 12.03.2024 (Annexure P-6) and he would be satisfied at this stage, in case, the competent authority of respondent No.1-State is directed to consider the said legal notice dated 12.03.2024 (Annexure P-6) 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 said legal notice dated 12.03.2024 (Annexure P-6), in accordance with law, as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of certified copy of the present order.

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 legal notice dated 12.03.2024 (Annexure P-6), in accordance with law, within a period of eight weeks from the date of receipt of certified copy of the present order 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 eight weeks from the date of receipt of certified copy of the present order.

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.

14.05.2024*Pawan***(VIKAS BAHL)
JUDGE****Whether speaking/reasoned:- Yes/No****Whether reportable:- Yes/No**