

2024:PHHC:021005

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-18515-2022 (O&M)
Decided on :14.02.2024

Jahul

. . . Petitioner

Versus

State of Haryana and others

. . . Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Nafeesh Ahmed, Advocate
for the petitioner.

Mr. Naveen Singh Panwar, DAG, Haryana.

Mr. Rahul Aggarwal, Advocate for
Mr. Rahul Sharma, Advocate
for respondent No. 6.

VIKAS BAHL, J.(ORAL)

1. Present Civil Writ Petition has been filed under Article 226/227 of the Constitution of India praying for issuance of a writ in the nature of mandamus directing the respondents to reinstate the petitioner on the post of home guard.

2. Learned counsel for the petitioner has submitted that for the grievances raised in the present writ petition, the petitioner has moved an application dated 13.01.2021 (Annexure P-9) to the competent authority of respondent No.2. It is further submitted that the petitioner would be satisfied at this stage, in case, competent authority of respondent No.1 is directed to decide the application dated 13.01.2021 (Annexure P-9) in a

time bound manner and if after considering the same, in case, the plea raised by the petitioner is found to be meritorious, then necessary relief be granted to the petitioner as expeditiously as possible.

3. Learned State Counsel who is appearing on behalf of respondent Nos.1 to 5 has submitted that competent authority of respondent No.1-State would consider the application dated 13.01.2021 (Annexure P-9) within a period of two months 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 directions to competent authority of respondent No.1-State to consider the application dated 13.01.2021 (Annexure P-9) within a period of two months from the date of receipt of certified copy of the present order and after considering the same, in case, the competent authority is of the opinion that the pleas of the petitioner are meritorious, then necessary relief, in accordance with law, be granted to the petitioner, as expeditiously as possible 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 the date of receipt of certified copy of the present order.

5. It is made clear that 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.

6. Pending miscellaneous application, if any, shall stand disposed of with the abovesaid order.

14.02.2024
Mehak

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/~~No~~
~~Yes~~/No