

2024:PHHC:144085



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

254

CWP-19851-2022

Date of decision: 05.11.2024

Rajesh Kumar

....Petitioner

Versus

State Of Haryana and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

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

Mr. Dushyant Saharan, AAG, Haryana.

Mr. Bharat Bhushan Sharma, Sr. Panel Counsel-UOI,
for respondent Nos.3 and 5.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition is for directing the respondents to re-appoint the petitioner on the post of Wildlife Guard on which he was appointed, wherefrom he tendered his resignation so as to join the post of Assistant Loco Pilot in the Railways Department, and setting aside the order dated 23.08.2021 (Annexure P-14) not allowing him the same on the premise that there is no provision in that regard.

2. Learned counsel for the petitioner has referred to the communication dated 08.01.2018(Annexure P-15), wherein pursuant to the opinion of the learned Advocate General, Haryana, the approval was

to be accorded for fresh appointment in view of provision contained in Rule 16 of HCS (General) Rules, 2016 and as per the instructions issued by the Chief Secretary dated 21.10.1980. He seeks the re-appointment in the wake of the fact that he has been posted at Bikaner while his old aged parents are residing in the State of Haryana and suffering from various illnesses, is unable to look after them. Learned counsel, on instructions from the petitioner, submits that he would be satisfied if a direction is given to the respondents to re-consider the matter taking note of the aforesaid.

3. Learned counsel for the respondents, on instructions, submit that the Government shall not be averse to having a re-look at the matter.

4. In view of the above and without commenting on the merits of the case, the concerned authority is directed to pass an order afresh, taking note of the aforesaid letter and the instructions dated 21.10.1980, as also the rules relied therein, within a period of three months, after affording an opportunity of hearing to him.

5. Disposed of.

05.11.2024

parveen kumar

(AMAN CHAUDHARY)
JUDGE

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