



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

114

CWP-18757-2024
Date of decision: 06.08.2024

Prem SinghPetitioner

Versus

State of Haryana and others ...Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Aayush Gupta, Advocate for the petitioner.

Mr. Saurabh Mohunta, D.A.G., Haryana.

NAMIT KUMAR J. (Oral)

1. The petitioner has filed the instant writ petition under Articles 226/227 of the Constitution of India seeking a writ of certiorari, quashing the order dated 03.03.2023 (Annexure P-5) passed by respondent No.5, whereby the claim of the petitioner for counting his work charged service from January 1996 till 01.10.2003 has been rejected.
2. Learned counsel for the petitioner submits that the case of the petitioner is squarely covered by the judgment passed by Full Bench of this Court in *Kesar Chand Vs. State of Punjab Through The Secretary, P.W.D. B. & R., Chandigarh and others : 1988 (5) SLR 27*.
3. Notice of motion.
4. Mr. Saurabh Mohunta, D.A.G., Haryana, accepts notice on behalf of the respondents and on instructions from Mr. Varun Singh, Executive Engineer, Mechanical Division, P.W.D. B. & R., Ambala Cantt, submits that the impugned order may be treated as withdrawn and liberty may be granted to reconsider the claim of the petitioner.



5. In view of above, the present petition is disposed of with liberty to the State to pass a fresh order after reconsidering the claim of the petitioner for counting his work charged service from January 1996 till 01.10.2003 in view of the judgment of Full Bench of this Court in ***Kesar Chand’s case (supra)*** within a period of 02 months, after affording an opportunity of personal hearing to the petitioner.

06.08.2024

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(NAMIT KUMAR)
JUDGE

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