

217
IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-37535-2018(O&M)
Date of decision: 19.03.2024

Aavesh Moudgil

...Petitioner

VERSUS

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Ajay Chaudhary, Advocate, for the petitioner.

Mr. Gaurav Jindal, Additional Advocate General, Haryana.

Ms. Nikita Goel, Advocate for respondents No.2 to 4.

JASGURPREET SINGH PURI, J. (Oral)

1. The present writ petition has been filed under Article 226 of the Constitution of India seeking issuance of a writ in the nature of *mandamus* directing the respondents to consider the plea of the petitioner keeping in view the fact that similarly situated persons have already been extended the benefit in view of Chief Minister's announcement dated 05.07.2017 regarding employment to one member each of the family of the oustees.

2. Learned counsel appearing on behalf of the petitioner submitted that the family of the petitioner was holding a land and the land was acquired for the purpose of setting up Sub Station which is the subsidiary of Rajiv Gandhi Thermal Plant at Village Kirori, Tehsil Barwala, District Hisar and there was a policy in this regard for granting employment to one member of the family. He submitted that his representation (Annexure P-4) has not even

considered by respondent No.2 despite the fact that the same was given in the year 2018. He submitted that at this stage he will be satisfied in case the aforesaid representation Annexure P-4 is considered and decided in accordance with law by giving an opportunity of hearing to the petitioner and by passing a speaking order.

3. On the other hand, Ms. Nikita Goel, learned counsel appearing on behalf of respondents No.2 to 4 submitted that the petitioner was not entitled for the aforesaid. However, she has submitted that since the learned counsel for the petitioner has made a limited prayer at this stage for deciding of representation only to that extent she has no objection.

4. In view of the aforesaid facts and circumstances and without expressing anything on the merits of the case, the present writ petition is disposed of with a direction to respondent No.4 to consider and decide the representation (Annexure P-4) and if need be, then respondent No.4 shall also consult respondent No.2 before passing the order and an opportunity of hearing shall also be given to the petitioner or his counsel. The aforesaid order shall be passed strictly in accordance with law and within a period of three months from today. In case the petitioner is found to be entitled for employment, then the same will be thereafter given within a period of next three months and in case the petitioner is aggrieved by any adverse order passed by respondent No.4, then the petitioner shall be at liberty to challenge the same in accordance with law.

(JASGURPREET SINGH PURI)
JUDGE

19.03.2024
rakesh

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