



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

126

CWP-26634-2025

Date of Decision: 08.09.2025

ANIL KUMAR

...Petitioner

Vs.

STATE OF HARYANA AND ORS

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Nafeesh Ahmed, Advocate
for the petitioner

Mr. Ashok Kumar Khubbar, Addl. A.G, Haryana

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking setting aside of order dated 08.08.2024 whereby respondent has rejected his appeal on the ground of delay.

2. The petitioner claims that he joined as Home Guard and was assigned Belt No.550. He was disengaged unilaterally. He was neither issued show cause notice nor given discharged letter. He regularly visited office of respondent and vide representation dated 09.09.2015 and 28.01.2016 filed representations seeking reinstatement. The respondent re-inducted many Home Guard Volunteers vide letter dated 16.04.2019, 13.05.2019 and 04.06.2019 but petitioner was discriminated. He served legal notice dated 01.04.2022 upon the respondent which was followed by *CWP No.17157 of 2022* before this Court which directed the

respondent to decide legal notice in accordance with law. The respondent passed speaking order dated 01.09.2022 whereby petitioner's claim was rejected. He preferred *CWP 28668 of 2022* before this Court assailing speaking order dated 01.09.2022. The said petition was withdrawn on 07.08.2023 with liberty to file appeal. The appellate authority vide order dated 08.08.2024 dismissed appeal on the ground of delay.

3. Learned counsel for the petitioner submits that respondent has engaged volunteers who were discharged in 2011. The respondent is regularly engaging similarly situated employees, however, petitioner is discriminated.

4. From the perusal of order dated 01.09.2022, it comes out that petitioner worked with respondent from 16.05.2014 to 15.05.2015 during Bye-Election of Lok Sabha Constituency Hisar. He was discharged from service. No order of discharge is available on record. In compliance of order dated 05.08.2022 passed by this Court, the respondent passed speaking order dated 01.09.2022. The claim of the petitioner was rejected on the ground that petitioner was a volunteer and he has no legal right of reinstatement or re-enrollment.

5. The petitioner preferred appeal against aforesaid order which was dismissed by impugned order dated 08.08.2024. The petitioner concededly had worked for few months with the respondent and that too during 2014-15. The nature of job of the petitioner was purely voluntary. Being volunteer for few months and that too 10 years back, he cannot be heard to claim reinstatement/re-enrollment. The petitioner approached

this Court in 2022 whereas he was disengaged in 2015.

6. In the wake of above factual position, this Court is of the considered opinion that the instant petition deserves to be dismissed and accordingly dismissed.

7. It is made clear that this order would not inhibit the respondent to consider the petitioner in future.

8. Pending application(s), if any stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

08.09.2025
Deepak DPA

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No