

**CWP-15401-2021 (O&M)****:1:**

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

210-2

**CWP-15401-2021 (O&M)
Date of decision : 17.04.2026**

Bijender Singh

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA

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

Mr. Vivek Chauhan, Addl. AG, Haryana.

Deepinder Singh Nalwa, J. (Oral)

1. In the present writ petition, the petitioner is praying for issuance of directions to the respondents to re-appoint/re-enroll the petitioner on the post of Home-guard on the ground that the petitioner has been illegally terminated/discharged from service.

2. The brief facts of the case are that the petitioner was enrolled as Home-guard in the respondent-department in the year 2014. As per the petitioner, the petitioner was discharged from service in the year 2019. It is the case of the petitioner that he had visited the office of the respondents number of times and submitted various representations (Annexures P-1 & P-2) for re-enrollment/reinstatement, however, no action was taken by the respondents on the said representations submitted by him. Aggrieved against the action of the respondents in discharging the petitioner from service, the petitioner has filed the present writ petition.



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3. Learned counsel appearing on behalf of the petitioner submits that no notice or opportunity of hearing was given to the petitioner before the petitioner was discharged from service. He also submits that no affidavit was given by the petitioner that he never wanted to work as Home-guard as relied upon by the respondents dated 10.08.2019 (Annexure R-1) while discharging the petitioner from service. As such, the action of the respondents discharging the petitioner from service is bad in law.

4. On the other hand, learned counsel appearing on behalf of the respondents-State submits that the petitioner was discharged from service on the basis of his own request and affidavit duly filed by the petitioner on 10.08.2019 (Annexure R-1), wherein, it was stated by the petitioner that he cannot perform his duties on the ground that he was occupied in home affairs and belt number may be given to other candidate, namely, Saif Ali. As such, the petitioner was rightly discharged from service in the year 2019.

5. I have heard the learned counsel appearing on behalf of the parties at length and have perused the record with their able assistance.

6. A perusal of the facts of the present case would show that the petitioner has been discharged from service on the basis of an affidavit dated 10.08.2019 (Annexure R-1) submitted to the respondents. A perusal of the abovesaid affidavit would show that it has been stated therein that the petitioner cannot perform his duties as Home-guard and had

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voluntarily given his belt number to Saif Ali. In regard to contention raised by the learned counsel appearing on behalf of the petitioner that he had not submitted an affidavit dated 10.08.2019 (Annexure R-1) is concerned, whether the petitioner has given an affidavit dated 10.08.2019 (Annexure R-1), involves disputed question of fact, which this Court cannot entertain and decide in proceedings under Article 226 of the Constitution of India.

7. Taking into consideration the facts of the present case, this Court finds no merit in the present writ petition and the same is hereby dismissed. However, liberty is granted to the petitioner to approach the appropriate authority/forum for redressal of his grievance, if so advised, in accordance with law.

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

(DEEPINDER SINGH NALWA)
JUDGE

17.04.2026
Ramandeep Singh

Whether speaking/reasoned	Yes
Whether Reportable :	No