

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

2026:PHHC:077493



(137)

CWP-15510-2026

Date of Decision: 18.05.2026

Harjinder Singh

--Petitioner

Versus

State of U.T., Chandigarh & others

--Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA.

Present:- Mr. Nitin Sharma, Advocate for the petitioner.

Mr. Vivek Sharma, Addl. Standing Counsel with
Mr. Shashank Shekhar Sharma, Jr. Standing
Counsel for U.T., Chandigarh.

DEEPINDER SINGH NALWA.J (Oral)

1. In the present writ petition, the petitioner has challenged the order of discharge dated 14.05.2008 (Annexure P-3) passed by the respondent authorities. Petitioner has also challenged the order dated 08.02.2023 (Annexure P-10), whereby the case of the petitioner for re-enrolment has been rejected.

2. Learned counsel appearing on behalf of the petitioner submits that the petitioner along with six other Home Guards was discharged from service by the respondents. It is the case of the petitioner that he was discharged from service on the ground of absence from duty. Counsel further submits that in the light of the decision taken by the Committee, petitioner was not held entitled for re-enrolment on the ground that the petitioner remained absent from duty w.e.f. 01.04.2008 till the date of his discharge i.e. 14.05.2008. It is further submitted that six other Home Guards along with the petitioner were discharged from service on the ground of absence from duty. Counsel submits that the above said fact

was not taken into consideration by the Committee. Counsel further submits that after passing of order dated 08.02.2023 (Annexure P-10), whereby the case of the petitioner for re-enrolment has been rejected, the petitioner has served a legal notice dated 06.05.2026 (Annexure P-13) upon the respondents claiming a similar relief as granted to other similarly situated Home Guards. He, on instructions from the petitioner, submits that the petitioner would be satisfied if at this stage, a direction is given to respondent No.3 to decide the legal notice dated 06.05.2026 (Annexure P-13) served by the petitioner in a time-bound manner.

3. Notice of motion.

4. Mr. Vivek Sharma, Addl. Standing Counsel assisted by Mr. Shashank Shekhar Sharma, Jr. Standing counsel, accepts notice on behalf of the respondents-State of U.T. Chandigarh and does not oppose the prayer made by the learned counsel appearing on behalf of the petitioner.

5. In view of the above and without commenting upon the merits of the case, the present petition is hereby disposed of with a direction to respondent No.3 to consider and decide the legal notice dated 06.05.2026 (Annexure P-13) served by the petitioner, in accordance with law/rules, within a period of 03 months from the date of receipt of certified copy of this order.

18.05.2026
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(DEEPINDER SINGH NALWA)
JUDGE

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No