

(2010) 10 P&H CK 0248
In the Punjab And Haryana At Chandigarh
Case No : C.W.P. No. 11413 of 1993

Charanjit Singh Walia, Assistant

APPELLANT

Vs

The State of Haryana and Others

RESPONDENT

Date of Decision : 28-10-2010

Acts Referred:

Citation : (2010) 10 P&H CK 0248

Hon'ble Judges : Alok Singh, J

Bench : Single Bench

Final Decision : Allowed

Judgement

Alok Singh, J.—Present petition is filed challenging the order dated 06.06.1993 (Annexure P-1).

2. The Petitioner was working as Assistant in the office of Engineer-in-Chief, Haryana, P.W.D., B & R Branch. He has filed one writ petition bearing C.W.P. No. 10572 of 1992 before this Court stating therein that his plea for crossing the Efficiency Bar w.e.f. 9.8.1975 was wrongly rejected. That writ petition was disposed of by this Court vide judgment dated 5.8.1992 and this Court has passed the following order:

After hearing the learned Counsel for the Petitioner, we dispose of the petition by directing the Respondents to consider the representations Annexures P-20 to P-23 with writ petition in accordance with rules and decide the same by passing speaking orders within three months.

3. Pursuant to the judgment of this Court dated 5.8.1992, representations of the Petitioner were decided vide impugned order dated 6.6.1993 (Annexure P-1). From the perusal of the impugned order, I find that representations of the Petitioner were dismissed/rejected on the ground of Government instructions mentioned in paragraph 3 of the impugned order.

4. Such Government instructions was put to challenge in the case of K.K. Vaid v.

State of Haryana and Division Bench of this Court vide judgment dated 1.11.1989 passed in C.W.P. No. 4180 of 1986 reported in 1990(1) SLR 1 has quashed the Government instructions.

5. In view of the quashing of the Government instructions, the basis of impugned order goes. In view of this, present petition is allowed and Respondents are directed to decide the representations afresh by speaking order in accordance with law within 90 days from the date certified copy of this order is placed before the Respondents.