



(111)

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

CWP-PIL-6-2025 (O&M)  
Date of decision:- 14.01.2025

Vijay Deep Rathee

...Petitioner(s)

Versus

The State of Haryana and others

...Respondent(s)

**CORAM:** **HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE**  
**HON'BLE MR. JUSTICE SUDHIR SINGH**

Present:- Mr. Vijay Deep Rathee, Advocate (petitioner-in-person).

Mr. Naveen S. Bhardwaj, Additional Advocate General, Haryana.

Mr. Balvinder Sangwan, Advocate,  
for respondent No. 3.

\* \* \* \* \*

**SHEEL NAGU, C.J. (ORAL)**

1. The present petition filed as a Public Interest Litigation raises the alleged public cause that 43 out of 45 sanctioned posts of Food Safety Officers are lying vacant in the State of Haryana and no attempt has been made to initiate recruitment and appointment process to fill up the said vacancies.
2. There is another ancillary relief which is evident from the prayer clause of the petition and is reproduced for ready reference and convenience:-

*“Further prayer for issuance of writ in the nature of Mandamus directing the State of Haryana to amend the provision of B.N.S, 2023 i.e. Sections 274 & 275 B.N.S, 2023 (Sections 272 & 273 IPC) as directed by the Hon’ble Supreme Court of India in case titled as “Swami Achyut Anand Tirth and others Vs UOI and others” (2016) 9 SCC 699 dated 05.12.2013 and recommendation made both by the Law Commission of India Report No. 264 dated 07.01.2017 & the Haryana State Law Commission in its 5<sup>th</sup> Report dated 27.07.2022 (Annexure P-4).”*

3. The petitioner has already moved a representation/legal notice dated 14.10.2024 (Annexure P-22) before the respondent-authorities, but the same has not yet been responded to.

4. In view of the aforesaid, instead of keeping this petition pending, it would be appropriate to allow the respondent-authorities to deal with the issue.

5. Accordingly, the petition stands disposed of with a direction to the respondent-authorities to consider and decide the petitioner's representation/legal notice (Annexure P-22) by passing a speaking order and communicating the same to the petitioner within an outer limit of 60 days from the date of receipt of copy of this order.

6. With the aforesaid direction, the petition stands disposed of.

**(SHEEL NAGU)**  
**CHIEF JUSTICE**

**(SUDHIR SINGH)**  
**JUDGE**

**14.01.2025**

Amodh Sharma

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