

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Writ Petition No. 11345 of 2015

DATE OF DECISION : May 28, 2015

Sital Dass

..... PETITIONER(S)

VERSUS

State of Punjab & ors.

.... RESPONDENT(S)

CORAM : HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Naresh Kaushik, Advocate, for the petitioner.

ARUN PALLI, J. (Oral)

A writ in the nature of mandamus is prayed for, so as to direct the respondents to consider the claim of the petitioner for promotion to the post of a Draftsman, along with all consequential benefits with effect from 06.03.2011 under 3% quota for the physically challenged employees, in terms of the policy dated 13.03.2012 (Annexure P-7).

Petitioner was appointed as a Tracer on 24.03.1982 and was designated as Junior Draftsman in the year 1986. And is currently posted in the office of Superintending Engineer, Kandi Canal Circle, Hoshiarpur. He suffers from 55% orthopaedic permanent disability and, in terms of the policy dated 13.03.2012 (Annexure P-7), there is 3% reservation for disabled employees even in promotion. It is maintained that the petitioner

represented to respondent No.4 in this regard, vide

representation dated 16.07.2012 (Annexure P-9). So much so, respondent No.4 vide letter dated 28.08.2012 (Annexure P-10) has informed respondent No.3 that no Court case/departmental enquiry/Vigilance enquiry is pending against the petitioner. But with no tangible result.

Learned counsel for the petitioner submits that let this petition, at this stage, be disposed of with a direction to respondent No.4 to consider and decide the representation of the petitioner within a specified time. Particularly, when the petitioner is slated to retire on attaining the age of superannuation on 31.05.2015.

That being so, and without expressing any opinion on merits, this petition is disposed of with a direction to respondents No.3 and 4 to consider and decide the claim of the petitioner, as set out in his representation dated 16.07.2012 (Annexure P-9), strictly in accordance with law, within a period of two months from the date of receipt of certified copy of this order.

Needless to assert, a comprehensive order shall be passed, assigning reasons in support of the decision arrived at.

MAY 28, 2015
Kang

(ARUN PALLI)
JUDGE