

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No. 1184 of 2015 (O&M)

Date of Decision: 23.01.2015.

Renu Puri and another

--Petitioners

Versus

State of Haryana & others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Sunil Nehra, Advocate for the petitioners.

TEJINDER SINGH DHINDSA.J

The petitioners, who are presently serving as Assistants in the office of Advocate General, State of Haryana, have preferred the instant writ petition impugning the order dated 10.5.2013 (Annexure P-15) in the light of which their seniority in the cadre of Clerks was re-determined. Further challenge is to a show cause notice dated 6.1.2015 (Annexure P-17) and whereby action of either reversion from the post of Assistant to Clerk or assigning a different date of promotion from Clerk to Assistant, is contemplated.

During the course of arguments, it has been conceded that till date the petitioners have not responded to the impugned show cause notice dated 6.1.2015. To such extent challenge to the show cause notice dated 6.1.2015 would be taken as premature.

This Court deems it appropriate to dispose of the instant petition in terms of granting liberty to the petitioners to furnish a detailed reply to the show cause notice dated 6.1.2015, within a period of two weeks from today. In the eventuality of any such reply being furnished, respondent no.2 would be obligated to consider the same and take into

consideration all the grounds/contentions raised in the representation/reply to the show cause notice and to pass a final order thereafter, after even affording to the petitioners an opportunity of personal hearing. Suffice it to observe that the final decision to be taken thereafter would be by passing a detailed speaking order.

It is further directed that any adverse order in the nature of reversion or change of date of promotion of the petitioners from the post of Clerk to Assistant would have to await the passing of the final order at the hands of respondent no.2.

Writ petition is disposed of in the aforesaid terms.

It is further clarified that the present writ petition is disposed of without going into the merits of the case.

(TEJINDER SINGH DHINDSA)
JUDGE

January 23, 2015.
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