

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

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**Civil Writ Petition No.14652 of 2015
Date of Decision:23.07.2015**

Jagjit Singh

....petitioner

Versus

State of Punjab and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Yagyadeep, Advocate
for the petitioner

ARUN PALLI, J.(ORAL):-

Notice of motion.

Mr.Anshul Gupta, Assistant Advocate General, Punjab, present in the Court, accepts notice on behalf of the respondents. Copies supplied. In the wake of an order, I intend to pass in this petition, no formal written statement, at this stage, is required to be filed by the State.

A writ in the nature of certiorari is prayed for so as to quash the order/list dated 26.06.2015 (Annexure P6) issued by the official respondents vide which 19 Head Constables, who happened to be junior to the petitioner, have been recommended to undergo Intermediate School Course that is slated to commence w.e.f.01.08.2015. As also a direction be issued to the respondents to place the petitioner above the 23 Assistant Sub Inspectors, who happened to be junior to the petitioner but were illegally promoted as such before considering his claim.

It is maintained that vide letter dated 26.06.2015 (Annexure P6), 250 Head Constables have been recommended to undergo the Intermediate School Course. And of these, 19 (Head Constables) happened to be junior to the petitioner and for no tangible reason, his claim has not been considered. So much so, even earlier, persons junior to the petitioner, as indicated in his representation dated 27.06.2015 (Annexure P9) were sent to undergo the said course and no reason has ever been assigned or communicated to justify the exclusion of his claim.

Prior to the institution of this petition, petitioner purports to have even represented to respondent No.2, vide a representation dated 27.06.2015 (Annexure P9), but to no avail.

Learned counsel for the petitioner submits that let this petition be disposed of, at this stage, only with a direction to respondent No.2 to consider and decide his representation (Annexure P9), only qua his claim as regards sending him to Intermediate School Course, as vis-a-vis his other grievance, he would move a comprehensive representation separately, which continues to await consideration at the end of the authorities. He submits as time is the essence of the situation, since the Course is scheduled to commence w.e.f.01.08.2015, respondents be directed to decide the representation (Annexure P9) at the earliest.

The prayer is not opposed by the learned State counsel. He submits that let a direction be issued to respondent No.2 to consider and decide the representation of the petitioner and the

same shall be decided on or before 31.07.2015.

That being so, and without expressing any opinion on merit, this petition is disposed of with a direction to respondent No.2 to consider and decide the claim of the petitioner as set out in his representation dated 27.06.2015 (Annexure P9), as regards sending him for an Intermediate School Course, strictly in accordance with law, on or before 31.07.2015. Needless to assert, a comprehensive order shall be passed assigning reasons, in support of the decision arrived at.

A photocopy of the order be given to learned State counsel, under the signatures of Court Secretary attached to this Court.

23.07.2015

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**(ARUN PALLI)
JUDGE**