

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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Civil Writ Petition No.15057 of 2015
Date of Decision:27.07.2015

Sukhdev Singhpetitioner

Versus

State of Punjabrespondent

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.H.S.Saggu, Advocate
for the petitioner

ARUN PALLI, J.(ORAL):-

A writ in the nature of mandamus is prayed for, so as to direct the respondent to consider the claim of the petitioner for promotion to the posts of District Treasury Officer, Deputy Controller of Finance and Accounts, Joint Controller of Finance and Accounts and Additional Director/Controller (Treasury and Accounts), respectively, as depicted in the table drawn in para No.6 of the petition:

<i>Sr.No.</i>	<i>Post</i>	<i>Date on which became entitled for promotion</i>	<i>Roster Point and Date on which Roster point became available</i>
1	District Treasury Officer	27.10.1984 (After 6 years experience as ATO)	No.22 in June, 1986
2	Deputy Controller of Finance and Accounts	27.10.1991 (After 7 years as DTO)	178 on 10.09.1993
3	Joint Controller of Finance and Accounts	27.10.1996 (After 5 years Experience as Deputy Controller of Finance and Accounts	80 on 02.12.1998
4	Addl.Director/Controller (Treasury & Accounts)	27.10.1999 (after 3 years experience as Joint Controller of Finance and Accounts)	30 on 22.11.2001

It is maintained that pursuant to a civil court decree, which was affirmed by this Court, the petitioner was ordered to be promoted as Assistant Treasury Officer w.e.f.27.10.1978 and as the said decree has attained finality, as a consequence, the petitioner was/is entitled to be considered for further promotions.

Learned counsel for the petitioner submits that prior to the institution of this petition, respondent was even served upon a legal notice dated 06.04.2015 (Annexure P4), in this regard, but to no avail. He further submits that let this petition be disposed of with a direction to the respondent to consider and decide the legal notice (Annexure P4) served by the petitioner, within a specified time.

That being so, and, without expressing any opinion on merits, and particularly, as regards the issue of delay/laches, if any, the instant petition is disposed of with a direction to the respondent, to consider and decide the claim of the petitioner as set out in the legal notice dated 06.04.2015 (Annexure P4), strictly, in accordance with law, within a period of three months, from the receipt of the certified copy of this order. Needless to assert, a comprehensive order shall be passed assigning reasons, in support of the decision arrived at.

27.07.2015
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(ARUN PALLI)
JUDGE