

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

CWP No. 17205 of 2015
Date of decision: 19.08.2015

Dr. Gurdev Singh Bhardwaj (Retd.)

....Petitioner(s)

Versus

The State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. H.K. Aurora, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The present writ petition has been filed for issuance of a writ in the nature of mandamus directing the respondents to promote the petitioner as Deputy Director/Civil Surgeon with effect from the date his junior Dr. Davinder Singh (Service No. 3070) was promoted i.e. 14.09.2011 (Annexure P-11).

It is the case of the petitioner that on an earlier occasion, he was not promoted as Senior Medical Officer and he had approached this Court in CWP No. 22617 of 2010, which was allowed on 16.08.2012 and a direction was issued for promoting the petitioner to the post of Senior Medical Officer on a notional basis since he had already retired on 29.02.2012. The promotion order was passed on 05.12.2014 (Annexure P-6) wherein, he was given notional promotion w.e.f. 12.03.2010, the date his junior Dr. Davinder Singh was promoted as Senior Medical Officer. The argument, therefore, is that the junior thereafter having earned promotion on 14.09.2011, the petitioner was also entitled for the same relief/consideration notionally.

Counsel for the petitioner submits that representation dated

29.01.2015 (Annexure P-9) and thereafter, a reminder dated 13.05.2015 (Annexure P-10) have been filed but no action has been taken on the same. He would be satisfied if the same are taken into consideration at this stage.

Keeping in view the limited relief sought and the fact that the issue is still pending consideration, this Court does not feel it necessary to call upon the respondents to submit reply.

Accordingly, the present writ petition is disposed of with a direction to respondent no. 1 to decide the said representation dated 29.01.2015 (Annexure P-9) and reminder dated 13.05.2015 (Annexures P-10) within a period of 3 months from the date of receipt of certified copy of the order. Needless to say that in case the relief is to be denied to the petitioner, a reasoned order be passed by the said respondent.

19.08.2015
shivani

(G.S. SANDHAWALIA)
JUDGE