

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**CM No.13416 of 2015 in/and
CWP No.3148 of 2014 (O&M)
Date of Decision: 16.10.2015**

Bhupinder Kaur

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Mohit Jaggi, Advocate,
for thee applicant-petitioner.

Mr. Harkesh Manuja, Addl. AG, Punjab.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.

CM No.13416 of 2015

The application is allowed. The date is advanced by consent and the case is taken up for final disposal.

CWP No.3148 of 2014 (O&M)

1. In view of the nature of the order proposed to be passed on the request of the learned counsel for the petitioner, the main case is heard and disposed of.
2. The claim in this petition is for promotion to the post of Personal Assistant. The case of the petitioner is pending consideration of the competent authority but no decision has been taken so far.
3. Learned counsel for the petitioner would be satisfied if a direction is issued to the 1st respondent in the first instance to consider and decide the

petitioner's claim for promotion as per rules. The petitioner harbours a doubt that his case may be ignored in preference to others who want to steal a march over him.

4. The written statement filed by the State is also on these lines admitting that the process of consideration is alive and imminent.

5. There is, therefore, no difficulty in directing the respondents to consider and decide the case of the petitioner along with other eligible candidates as per rules. It is expected that the final decision with regard to the petitioner's case shall be taken within a reasonable time and preferably within one month from the date of receipt of a certified copy of this order. After the decision is taken as to eligibility of the petitioner the procedure of convening a Departmental Promotion Committee meeting would be followed in due course and promotion cases will be finalized so that all eligible candidates are considered in one lot with effect from the date of occurrence of vacancies in the promotional cadre.

6. In case, an order adverse to the interest of the petitioner is required to be passed in accordance with rules then the decision be conveyed to the petitioner and in this process of decision making the petitioner will be associated to explain the case firsthand. This process will allay his fear of being passed over for the wrong reasons.

7. With these observations, the petition stands disposed of.

**(RAJIV NARAIN RAINA)
JUDGE**

16.10.2015
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