

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Writ Petition No. 5316 of 2015

DATE OF DECISION : March 23, 2015

Sohan Lal Sharma

..... PETITIONER(S)

VERSUS

State of Punjab & ors.

.... RESPONDENT(S)

CORAM : HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Puneet Gupta, Advocate, for the petitioner.

...

1. Whether Reporters of local newspapers may be allowed to see the judgment? YES/NO
2. To be referred to the Reporter or not? YES/NO
3. Whether the judgment should be reported in the digest? YES/NO

...

ARUN PALLI, J. (Oral)

Writ in the nature of certiorari is prayed for, so as to quash the order dated 06.06.2009 (Annexure P-5), vide which the post of Sub Divisional Officer (Electrical) has been filled by the official respondents, without even considering the claim of the petitioner. It is maintained that the order being assailed is in

breach of the statutory service rules, which postulate that the said post could be filled by transfer only, in case, of non availability of suitable and eligible candidate in the feeder cadre. And petitioner is fully eligible and suitable for the said post. Therefore, it is further prayed that the respondents be directed to consider and promote the petitioner from the due date i.e. 21.05.2009. It is maintained that prior to the institution of this petition, petitioner had even represented to the Financial Commissioner, Rural Development and Panchayats Department, Punjab, vide representation dated 07.08.2014 (Annexure P-8), but the same has failed to evoke any response.

Learned counsel for the petitioner submits that let this petition, at this stage, be disposed of with a direction to the respondents to consider and decide the representation of the petitioner within a stipulated period of time, and he be also permitted to supplement his representation by placing on record requisite material and necessary details in support of his claim.

That being so, and without expressing any opinion on merits, this petition is disposed of with a direction to the respondents to consider and decide the claim of the petitioner, as set out in his representation dated 07.08.2014 (Annexure P-8), strictly in accordance with law, within a period of three months from the date of receipt of certified copy of this order. Additional material, if indeed is, placed before respondent No.1, the same shall also be taken into consideration while passing an appropriate order.

Needless to assert, a comprehensive order shall be

passed, assigning reasons in support of the decision arrived at.

MARCH 23, 2015
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(ARUN PALLI)
JUDGE