

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

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**Civil Writ Petition No.5598 of 2015
Date of Decision:26.03.2015**

Kewal Singhpetitioner

Versus

State of Punjab and othersrespondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

Present: Mr.Jagdish Mitter, Advocate
for the petitioners

ARUN PALLI, J.(ORAL):-

A writ in the nature of mandamus is prayed for, directing the respondents to afford notional promotion to the petitioner as Sub Inspector in the pay scale of ₹ 10300-34800/- with a grade pay of ₹ 3600/-. It is averred that the petitioner was placed at No.3246 in the seniority list and was, thus, senior to Pawan Kumar son of Manohar Lal (seniority No.3683), and Madan Lal son of Milkhi Ram (seniority No.3684), yet they were promoted to the next higher post on 08.10.2013. Since the petitioner retired on attaining the age of superannuation on 30.09.2014, therefore, notional promotion w.e.f. 08.10.2013, i.e from the date when his juniors were promoted, is being claimed.

It is maintained that prior to the institution of this petition, petitioner had even served upon the respondents a legal notice dated 01.12.2014 (Annexure P7), but the same has failed to evoke any response. Learned counsel for the petitioner submits that, at this stage, let this petition be disposed of with a direction

to the respondents to consider and decide the legal notice served by the petitioner, within a stipulated period of time, by passing a speaking order.

That being so, and, without expressing any opinion on merits, the instant petition is disposed of with a direction to the respondents, to consider and decide the claim of the petitioner as set out in the legal notice dated 01.12.2014 (Annexure P7), strictly, in accordance with law, within a period of three months, from the date of 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.

26.03.2015

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(ARUN PALLI)
JUDGE