

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

DATE OF DECISION: APRIL 06, 2015

Mohinder Singh

.....Petitioner

VERSUS

The State of Punjab and others

....Respondents

CORAM:- HON'BLE MR.JUSTICE AUGUSTINE GEORGE MASIH

1. Whether Reporters of local papers may be allowed to see the judgement?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Present: Mr. R. K. Chopra, Sr.Advocate with
Mr. Pawan Kumar, Advocate,
for the petitioner.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of learned senior counsel for the petitioner that despite the juniors having been promoted as per the seniority list circulated, the petitioner, who belongs to the scheduled caste category, has not been promoted to Class III post of Senior Laboratory Attendant. Petitioner is working on the post of a peon and, therefore, is entitled to be considered for promotion to Class III post on the basis of the instructions dated 24.08.1983 and 27.10.1998 (Annexures P-4 and P-5 respectively). Counsel contends that juniors to the petitioner were promoted in the year 2011 and since then the petitioner has been representing the Department but no decision has been taken. In support of this contention, he has placed reliance on the representations dated 22.08.2012 and 10.11.2013

(Annexures P-9 and P-10 respectively).

Counsel contends that the petitioner, at this stage, would be satisfied if a direction is issued to the Director Public Instructions (Secondary Education), Punjab, Mohali-respondent No.2 to consider and decide the representation dated 10.11.2013 (Annexure P-10) moved by the petitioner, within some specified time.

In view of the statement made by the counsel for the petitioner and without going into the merit of the case or commenting thereon, the present writ petition is disposed of with directions to the Director Public Instructions (Secondary Education), Punjab, Mohali-respondent No.2 to consider and decide the representation dated 10.11.2013 (Annexure P-10) by passing a speaking order within a period of four months from the date of receipt of certified copy of this order. Decision so taken be conveyed to the petitioner forthwith.

In case the representation of the petitioner is accepted, further steps be taken by the respondents within a further period of two months.

April 06, 2015
khurmi

(AUGUSTINE GEORGE MASIH)
JUDGE