

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

125

Civil Writ Petition No.6859 of 2015

Date of Decision:10.04.2015

Dinesh Kumar

....petitioner

Versus

State of Punjab and others

.....respondents

CORAM: HON'BLE MR.JUSTICE ARUN PALLI

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: Ms.Jyoti Sareen, Advocate
for the petitioner

ARUN PALLI, J.(ORAL):-

A writ in the nature of mandamus is prayed for, directing the respondents to consider and promote the petitioner w.e.f. 24.04.2006, that is the date when the persons junior to the petitioner were promoted and he be granted all consequential benefits from the said date, as regards the seniority/arrears, etc.

It is averred that the petitioner was appointed as JBT teacher on 26.08.1997 and, is currently posted at Government Primary School, Sohian, Tehsil and District Sangrur. Vide letter dated 21.02.2005, Director, Education Department (Secondary Education), had requisitioned the names of the employees from JBT/C & V cadre, for the purpose of consideration for promotion to the master/mistress cadre, who had completed two years probation period. Though, the petitioner was fully eligible for consideration for

promotion to the post of SS Master, his name was ignored, for no tangible reason. So much so, persons junior to the petitioner have been promoted to the post of SS Master.

It is maintained that prior to the institution of this petition, respondents were even served upon with a legal notice dated 27.01.2015 (Annexure P7), but to no avail.

Learned counsel for the petitioner submits that, at this stage, let this petition be disposed of, only with a direction to respondent No.2, to consider and decide the legal notice served by the petitioner, within a specified time. And 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 respondent No.2, to consider and decide the claim of the petitioner as set out in his legal notice dated 27.01.2015 (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.

10.04.2015
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(ARUN PALLI)
JUDGE