

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

CWP No.7370 of 2015
Date of decision: 22.04.2015

Parshotam Lal

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Manpreet Singh, Advocate, for the petitioner.

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

ARUN PALLI J. (Oral)

Writ in the nature of mandamus is prayed for so as to direct the respondents to consider the claim of the petitioner for assigning Current Duty Charge of the post of Naib Tehsildar w.e.f. 21.01.2015 i.e. the date from which persons junior to the petitioner were granted CDC charge. It is averred that the claim of the petitioner was even recommended by the Deputy Commissioner, Moga vide letter dated 30.12.2014 (Annexure P4) and also by the Commissioner, Ferozepur Division, vide letter dated 02.01.2015 (Annexure P5) to Financial Commissioner, Revenue, Punjab, Chandigarh. Further, petitioner is fully eligible for consideration for promotion to the post of Naib Tehsildar in terms of the Punjab Naib Tehsildar (Class-III) Service Rules, 1984. And now when, he has qualified the mandatory refresher course that was

conducted w.e.f. 09.02.2015 to 23.02.2015, and participated in the examination that was held on 24.02.2015, his claim requires re-consideration, particularly, when two posts of Naib Tehsildar are lying vacant in the Ferozepur Division. It is maintained that prior to the institution of this petition, respondents were even served upon a legal notice dated 25.03.2015 (Annexure P11). 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 respondent No.1, to consider and decide the legal notice that has been served by the petitioner within a specified time.

That being so, and without expressing any opinion on merits, this petition is disposed of with a direction to respondent No.1, to consider and decide the claim of the petitioner, as set out in his legal notice dated 25.03.2015 (Annexure P11), strictly in accordance with law, within a period of one month from the receipt of certified copy of this order. Needless to assert, a comprehensive order shall be passed, assigning reasons in support of the decision arrived at.

April 22, 2015
Rajan

(Arun Palli)
Judge