

C.W.P. No.12289 of 2014
Date of decision:23.02.2016

Sanjay ... Petitioner

VS.

State of Haryana and ors. ... Respondents

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

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***To be referred to Reporters or not ?
Whether the judgment should be reported in the digest ?***

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Present : Mr. S. S. Duhan, Advocate
for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

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DEEPAK SIBAL, J. :

The petitioner is serving as a Junior Scale Stenographer in the Department of Horticulture, Haryana. Through the present petition, he seeks promotion to the post of Senior Scale Stenographer.

Learned counsel for the petitioner submits that though the petitioner was fully eligible since 16.07.2013, his case was not being considered on account of pendency of the writ petition filed by his senior Rozy Sharma being CWP No.15889 of 2013 titled as Rozy Sharma Vs. State of Haryana & another.

During the pendency of the present petition the petitioner has been promoted w.e.f 08.12.2014.

The aforementioned petition i.e. 15889 of 2013 titled as Rozy Sharma Vs. State of Haryana & anr. has also been disposed of vide order of even date as under:-

“The petitioner is serving as a Junior Scale Stenographer in the Department of Horticulture, Haryana.

Through the present petition she seeks promotion to the post of Senior Scale Stenographer for which she has not been considered since as per the applicable Rules i.e. the Haryana Subordinate Horticulture Directorate Ministerial Staff (Group 'C') Service Rules, 1998 (hereinafter referred to 1998 rules), for promotion to the Senior Scale Stenographer, it was necessary to pass the stenography test in Hindi and English which she had not passed.

During the pendency of the present petition, the petitioner has passed the above referred test.

On the happening of the aforesaid event, learned State counsel submits that the petitioner's case would now be considered for promotion to the post of Senior Scale Stenographer as per her seniority and applicable service rules.

The aforesaid statement satisfies to the learned counsel for the petitioner, rendering the present petition infructuous.

Ordered accordingly.

The case of the petitioner for further promotion to the post of Senior Scale Stenographer be considered as per applicable Service Rules within 3 months from the date of receipt of a certified copy of this order”.

In view of the aforesaid circumstances, learned counsel for the petitioner submits that at this stage he intends to withdraw the present petition with liberty to approach this Court again, if need be, after the respondents passed an order of promotion in the case of aforesaid Rozy Sharma.

Dismissed as withdrawn with liberty as prayed for.

23.02.2016
rimpal

(Deepak Sibal)
Judge