

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

CWP No.4391 of 2015 (O&M)

Date of decision:06.09.2016

Balbir Singh

... Petitioner

Vs.

State of Haryana & others

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. R.S. Sangwan, Advocate for the petitioner.

Mr. Rajesh Gaur, Additional Advocate General, Haryana.

Mr. Aditya Yadav, Advocate for respondent No.5.

...

TEJINDER SINGH DHINDSA, J.

The petitioner, who was serving on the post of Chowkidar under the Department of School Education, Haryana filed the instant petition praying for issuance of a writ of mandamus for directing the respondents to consider and promote him to the post of Clerk with effect from the date his junior i.e. respondent No.5 has been so promoted.

Upon notice of motion having been issued, a joint written statement on behalf of respondents No.1 to 4 has been filed and placed on record.

Along with the reply, document i.e. order dated 22.04.2016 at Annexure R-1 has been appended.

Perusal of such document at Annexure R-1 would reveal that the case of the petitioner for promotion to the post of Clerk has been examined and has been declined for the reasons stated therein.

Counsel appearing for the petitioner states that the order at Annexure R-1 has been passed after filing of the instant writ petition and

accordingly, prays for withdrawal of the instant petition with liberty to raise a challenge to the order dated 22.04.2016 (Annexure R-1) on all such grounds that may be available to the petitioner and strictly in accordance with law.

Dismissed as withdrawn with liberty as prayed for.

06.09.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| i) | Whether reasoned/speaking? | Yes |
| ii) | Whether reportable? | No |