

**CWP No. 13493 of 2017
DECIDED ON: JULY 03, 2017**

ROSHAN LAL

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. J.S. Maanipur, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of a writ of Certiorari for quashing reply dated February 15, 2017 (Annexure P-13) issued by respondent No.2, whereby, the claim of the petitioner was rejected to consider and promote him to the post of Junior Engineer with effect from the date when Sh. K.D. Sharma was promoted i.e. on August 24, 2005 (Annexure P-8) as well as with effect from the date when respondent No.3 was promoted i.e. on October 27, 2009 (Annexure P-9), as well as to quash the promotion orders (Annexures P-8 and P-9).

It has been contended by learned counsel for the petitioner that legal notice dated January 10, 2017 was addressed to the Resident

Commissioner, Government of Punjab, Punjab Bhawan, Copernicus Marg, New Delhi-110001 by the petitioner for the redressal of his grievances unfolded in the notice but that notice has not been dealt with and disposed of by the competent authority i.e. Resident Commissioner. Rather, it has been finally disposed of by the Superintendent, as is evidence from the letter dated February 15, 2017 (Annexure P-13). The decision taken on the notice by the Superintendent i.e. in competent authority cannot be termed to be legal and valid in the eyes of law.

In view of above, instant petition is disposed with a direction to respondent No.2 to look into the grievances unfolded by the petitioner in his legal notice dated January 10, 2017 (Annexure P-12) personally and then take a final decision in the matter. It expected that useful be done within a period of three months from the date of receipt of certified copy of this order.

However, in case the petitioner still feels aggrieved, he shall be at liberty to approach this Court.

JULY 03, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned ***Yes/No***

Whether reportable ***Yes/No***