

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

Civil Writ Petition No.15253 of 2017

Date of decision: 17.07.2017

Bhim Singh Rawat

...Petitioner

Versus

Haryana Power Generation Corporation Limited and others **...Respondents**

CORAM: HON'BLE MR.JUSTICE G.S.SANDHAWALIA

Present: Mr. Rajinder Sorout, Advocate for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks promotion as Assistant Engineer with effect from 28.11.2008 instead of 14.10.2010 and further as Assistant Executive Engineer from the date when person junior to him namely Ram Parsad Mor, respondent no.5 has been promoted vide order dated 31.1.2017 (Annexure P/2) and for grant of all consequential benefits.

It is the case of the petitioner that he joined on the post of Operator Grade-I on 20.12.1988 whereas the said respondent had joined on 25.9.1989. Both were promoted as Assistant Engineer on 15.10.2010. Reference is made to the seniority list (Annexure P/1) to show that name of the petitioner figures at serial no. 554 whereas name of respondent no.5 Ram Parsad Mor has been shown at serial no.574. It is submitted that said person has got the benefit of promotion vide order dated 31.1.2017 (Annexure P/2) as Assistant Engineer with effect from 28.11.2008 and as Assistant Executive Engineer with effect from 21.11.2013 with notional fixation only in compliance of orders passed by this Court. It is accordingly submitted that the petitioner filed representation dated 15.2.2017 (Annexure

P/3) which was followed by legal notice dated 23.4.2017 (Annexure P/4) but no action has been taken on the said communications.

Counsel for the petitioner submits that he would be satisfied if a direction is issued to the respondent no.2 to decide the representation dated 15.2.2017 (Annexure P/3) and legal notice dated 23.4.2017 (Annexure P/4) within some fixed time frame.

Keeping in view the limited relief sought by the petitioner, this Court is of the opinion that there is no requirement of calling for any reply on behalf of the respondents.

Accordingly, without commenting upon the merits of the case or entitlement of the petitioner as such regarding the relief claimed, the present writ petition is disposed of with a direction to respondent no.2 to take into consideration the said representation dated 15.2.2017 (Annexure P/3) and legal notice dated 23.4.2017 (Annexure P/4) and take a decision within a period of three months from the date of receipt of the certified copy. It is made clear that in case the petitioner is held entitled for the necessary relief, the same shall be disbursed expeditiously thereafter. In case any adverse order is to be passed then a reasoned order be passed by the said respondent and copy thereof be supplied to the petitioner.

The present writ petition is disposed off with the aforesaid directions.

July 17, 2017
Pka

(G.S.SANDHAWALIA)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No