

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

-:-

C.W.P No. 18695 of 2017 (O&M)

Date of decision: 12.09.2017

Balwant Singh

...Petitioner

Vs.

State of Haryana & Anr.

...Respondents

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

Present: Mr. P.K.S. Phoolka, Advocate, for the petitioner.

G.S.SANDHAWALIA, J. (Oral).

By way of the instant petition filed under Articles 226 of the Constitution of India, the petitioner seeks necessary change in the seniority list of the Clerk/Steno of the Director, Treasury and Accounts Department Haryana qua his details while being posted as Assistant at Treasury Office, Jagadhri. The changes are sought regarding correction in father's name i.e. from Jausu Ram to Sh. Jethu Ram and in addition, mentioning, caste i.e. S.C in front of the name column and granting promotion from the year 2009.

It is a case of the petitioner that he had been appointed on 29.10.1999 in the said category and his name was mentioned in the seniority list of "Lipik" (Clerk) in the year 2006 at Sr. No.333, but his caste was not mentioned and his father's name was also wrongly mentioned. The said list was never conveyed to the petitioner and therefore, he could not detect the mistake to file objections. When he came to know about the said mistake, he immediately made representation dated 09.12.2009 (Annexure P/1) and the Treasury Office, Ambala also sent a clarification regarding the said fact.

Representation was also made on 11.11.2010 and a letter was also sent by respondent No.3 to respondent No.2 for appropriate correction of the said fact as per record of service book. He also made representations dated 28.04.2010/18.05.2010 (Annexure P/4) and also on 02.05.2013

(AnnexureP/5). It is further contended that a legal notice 09.05.2017 (Annexure P/6) was also served upon respondents and only respondent No.3 has responded that the Head Office is to make necessary corrections vide a communication dated 19.06.2017 (Annexure P/7). Counsel submit accordingly that he would be satisfied if a time bound decision is taken by respondent No.2 on the legal notice, whereby the above said claims have been raised.

Notice of motion.

Mr. Harish Rathee, Sr. DAG, Haryana, accepts notice on behalf of the respondents. Copy of the paper-book has been supplied to him.

Keeping in view the controversy, this Court is of the opinion that no useful purpose would be served by calling for reply, since the decision making is still not completed and it would only delay the proceedings.

Accordingly, without commenting upon the merits of the case and the entitlement of the petitioner the present writ petition is disposed of, with a direction to respondent No.2 to take a decision on a legal notice dated 09.05.2017 (Annexure P/6), within a period of 4 months. In case any adverse order is to be passed, same should contain reasons and be conveyed to the petitioner.

September 12, 2017
tripti

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No