

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

CWP No. 19656 of 2017
Date of decision: 31.08.2017

Suresh Kumar

....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

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

Present: Mr. Deepak Sonak, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The grouse of the petitioner, who seeks a writ under Article 226 of the Constitution of India, is for fixing the seniority of the petitioner at Sr. No. 90 instead of 109 in the seniority list as on 01.01.2010 (Annexure P-3). It is his case that even respondent no. 3, vide letter dated 26.04.2017 (Annexure P-4), has recommended his case but respondent no. 2 is not taking any action and also not considering the case of the petitioner for promotion to the post of Superintendent from the date the juniors had been promoted.

Counsel for the petitioner has submitted that he was appointed on the post of Steno Typist in Hindi on 02.02.1983 in the respondent-department on ad hoc basis and his services were regularized w.e.f. 01.11.1986 and he was promoted to the post of Assistant on 01.02.1995. It is his case that juniors namely Pawan Kumar, Balwan Singh and Parveen Kumar had been promoted to the post of Superintendent on 30.01.2017 and he had been representing but no action has been taken. Resultantly, reliance is placed upon the recommendation on 26.04.2017 (Annexure P-4) in his

favour wherein, all facts have been narrated by respondent no. 3. Counsel further submits that he would be satisfied if a direction is issued to respondent no. 2 to decide the said recommendation within a fixed time frame.

Notice of motion.

Ms. Shruti Jain Goyal, AAG, Haryana accepts notice. Copy of the writ petition has been supplied to her.

Without commenting on the merits of the case or the entitlement of the petitioner for the abovesaid relief and keeping in view the fact that the matter is still pending consideration, the present writ petition is disposed of with direction to respondent no. 2 to take a decision on the recommendation dated 26.04.2017 (Annexure P-4) within a period of 2 months from the date of receipt of certified copy of the order. Needless to say if the benefit is to be declined, a reasoned order be passed and the same be conveyed to the petitioner.

31.08.2017
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No