

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

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C.W.P No. 21072 of 2017
Date of decision: 15.09.2017

Hardeep Kaur

...Petitioner

Vs.

State of Haryana & Ors.

...Respondents

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

Present: Mr. J.L. Goyal, Advocate, for the petitioner.

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

Petitioner seeks a writ of Mandamus under Article 226 of the Constitution of India, directing the respondent for antedate promotion of the petitioner to the post of Principal, HES-II w.e.f 20.07.2007, on which date her juniors were promoted to the post of Principal with all consequential benefits.

It is a case of the petitioner that the petitioner was appointed as Lecturer on 25.10.1991 (Annexure P/1). As per the tentative seniority list as on 01.10.2011, the petitioner was at Sr. No. 136 having merit No.2 and as per final revised seniority list issued on 07.11.2014 (Annexure P/2), she was at Sr.462. It is her case that Sh. Kundan Kalra, who was at Sr. No. 178 in the tentative list had been promoted prior to the petitioner i.e. on 20.07.2007 and in the revised seniority list he was at Sr. No. 492. A copy of the promotion order dated 20.07.2007 has been attached as Annexure P/3. The petitioner was only promoted on 21.04.2012 (Annexure P/4) w.e.f 24.04.2012. It is the case of the petitioner that a representation has accordingly been filed that another junior Rakhbir Singh has also been promoted w.e.f 22.05.2012, as per order dated 13.06.2017 (Annexure P/6) and who was also at Sr. No. 476, but the petitioner has not been given benefits and therefore, a representation dated 28.06.2017 (Annexure P/7) has been made. Counsel accordingly submits that he would be satisfied if the representation is decided within a time bound frame.

Notice of motion.

Ms. Shruti Jain Goyal, Haryana, accepts notice on behalf of the respondents. Copy of the paper-book has been supplied to her.

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 complete 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.1 to take a decision on a representation 28.06.2017 (Annexure P/7), 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 15, 2017
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(G.S. SANDHAWALIA)
JUDGE

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