

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 23353 of 2017
Date of decision: 12.10.2017

Kitab Singh

....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

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

Present: Mr. Shamsheer Singh Mor, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks direction for considering his case for promotion to the post of Junior Accountant in terms of old Rules from the date when he became eligible alongwith all consequential benefits.

It has been averred that the decision 25.06.2004 (Annexure P-5) was subject matter of challenge in ***CWP No. 883 of 2015, Vijay Kumar vs. State of Haryana and others***, decided on 13.06.2016 (Annexure P-8) and the said decision was quashed to the extent of imposing the condition of being graduate for promotion from the post of Clerks and Secretaries Grade-A to the post of Junior Accountant. Accordingly, it had been held that the said petitioner was entitled for promotion to the post of Junior Accountant in terms of old Rules and in accordance with the Rules/Law and the amended Rules would be prospective in nature and not retrospective.

Accordingly, counsel for the petitioner submits that he has already filed a representation dated 26.08.2016 (Annexure P-10) with respondent no. 3, which is still pending consideration and accordingly,

submits that he would be satisfied if the said respondent takes a decision on the same within a time bound frame.

Notice of motion.

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

Keeping in view the above, this Court is of the opinion that no useful purpose would be served to ask the respondents to file reply as the decision making process is still pending.

Accordingly, 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 a direction to respondent no. 3 to take a decision on the representation dated 26.08.2016 (Annexure P-10) within a period of 3 months from the date of receipt of certified copy of the order. In case any adverse order is to be passed, a reasoned order be passed and conveyed to the petitioner.

12.10.2017
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No