

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

CWP No. 24207 of 2017
Date of decision: 26.10.2017

Ashok Kumar

....Petitioner(s)

Versus

State of Haryana and others

...Respondent(s)

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

Present: Mr. Ramesh Goyat, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks issuance of a writ in the nature of mandamus under Article 226 of the Constitution of India for grant of 1st ACP level on completion of 8 years regular satisfactory service under ACP Rules, 2016 on the ground that there is no promotional avenue available. It is claimed that the petitioner is fit for promotion to the next higher post as his 70% record is good. Counsel has referred to the table in para no. 3 to submit that after the average report for the year 2007-08, he has got very good, good entries and, therefore, is entitled for the said benefit.

Counsel submits that a legal notice dated 15.03.2017 (Annexure P-3) has already been served upon the respondents but the same has not been decided. Counsel further submits that he would be satisfied if the said legal notice is decided 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. 2 to take a decision on the legal notice dated 15.03.2017 (Annexure P-3) 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.

26.10.2017
shivani

(G.S. SANDHAWALIA)
JUDGE

Whether reasoned/speaking

Yes/No

Whether reportable

Yes/No