

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

CWP No.27815 of 2017

Date of decision : 07.12.2017

Bhupinder Singh

.....Petitioner

Versus

The State of Punjab and others

...Respondents

CORAM : HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present : Mr. G. P. Vashisth, Advocate for the petitioner.

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DAYA CHAUDHARY, J. (Oral)

The grievance of the petitioner in the present petition is that he was eligible for promotion as Lecturer in the year 2012 when the private respondents, who were junior to him were promoted but claim of the petitioner was not considered only on the ground that his name was not mentioned in the seniority list, which was an error on the part of the official respondents. Many representations were made to the respondents but no action was taken. Subsequently, by considering the representation of the petitioner, his name was shown in the seniority list at Sr. No.479-A prior to the names of the private respondents. Petitioner also got served a legal notice upon the respondents on 25.08.2017 (Annexure P-8), however, no action has been taken.

Learned counsel for the petitioner further submits that the petitioner would be satisfied in case directions are issued by this Court to

the official respondents to consider his legal notice dated 25.08.2017 (Annexure P-8).

Notice of motion.

On asking of the Court, Ms. Akshita Chauhan, AAG, Punjab accepts notice of behalf of the respondent-State of Punjab.

By considering the submissions made by learned counsel for the petitioner and also the fact that no action has been taken on the pending legal notice dated 25.08.2017, the present petition is disposed of with a direction to respondents No.1 & 2 to consider his legal notice dated 25.08.2017 (Annexure P-8) in accordance with law and pass necessary orders within a period of two months from the date of receipt of copy of the order. In case the petitioner is found to be entitled to the claim sought in the legal notice, the same be granted to him within a period of one month thereafter. In case the respondent-authority comes to the conclusion that the petitioner is not entitled for the relief claimed in the legal notice, a detailed speaking order be passed. Opportunity of personal hearing may also be given to the petitioner, if so required.

Two copies of petition be supplied to learned State counsel during course of the day for compliance.

07.12.2017

sunil yadav

**(DAYA CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No