

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

CWP No. 5706 of 2017 (O&M)

Date of Decision: 20.03.2017

Mohinder Pal

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Nakul Sharma, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

It is contended that the petitioner herein on the basis of merit was given promotion to the post of Superintending Engineer vide order 02.12.2016 (Annexure P-7). However, the said order was provisional to the extent that, in case, Smt. Reeta Aggarwal, who was facing a departmental enquiry, stood exonerated of the charges that were framed against her, the promotion would be withdrawn and he would be reverted. It is contended that Smt. Reeta Aggarwal, was facing three enquiries and out of these, in one of the enquiry, charges were proved, however, without any cogent reasons for setting aside the said charges, she has been exonerated. Against the said exoneration, the petitioner herein, who would be effected in case the promotion is granted to Smt. Reeta Aggarwal. The petitioner has already preferred a legal notice dated 06.02.2017 (Annexure P-10) as well

as filed a representation dated 05.01.2017 (Annexure P-9) to review the departmental order dated 27.12.2016 (Annexure P-8) whereby, Smt. Reeta Aggarwal has been exonerated.

Learned counsel for the petitioner limits his prayer that the said legal notice dated 06.02.2017 (Annexure P-10) and representation dated 05.01.2017 (Annexure P-9) to review the departmental order dated 27.12.2016, which are pending before the respondents-Department, should be decided expeditiously.

I have heard learned counsel for the petitioner and in view of the limited prayer, without going into the merits of the case, I dispose of the instant writ petition by directing the respondents-Department to decide the legal notice dated 06.02.2017 (Annexure P-10) and representation dated 05.01.2017 (Annexure P-9) of the petitioner within a period of two months from the date of receipt of certified copy of this order, in accordance with law.

The petition stands disposed of in the above-said terms.

March 20, 2017

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(JAISHREE THAKUR)

JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No