

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

157

CWP-20689-2018

Date of decision: 17.09.2018

Gurka Ram

....Petitioner

Versus

State of Punjab & others

...Respondents

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

Present: Mr.Jitesh Sharma, Advocate, for
Mr.Rajesh Narang, Advocate, for the petitioner.

G.S. SANDHAWALIA, J. (Oral)

Petitioner seeks direction for promotion as Patwari in the Canal Department, Punjab on regular basis in full pay-scale on the ground that he is fully eligible and has qualified the test for the said purpose and to grant increments, seniority, arrears of full grade pay, incentive and other service benefits as admissible from time to time.

Counsel, at the outset, submits that the petitioner has been working as Gatekeeper since 18.02.1987 and the services were regularized in June, 1994. He had cleared the departmental examination held in April, 2008 for the post of Nehri Patwari and he is a Graduate and holder of Diploma Course Certificate. He was also working for the last about 15 years on Current Duty Charge. It is further submitted that a representation has already been filed with the Chief Engineer, Canal Department and with respondents No.3 & 4 on 23.01.2018 (Annexure P-16), which is still pending consideration. Counsel submits that the petitioner would be satisfied if a direction is issued to the competent authority, as such, to look into the said representation and grant the necessary relief, within a time-bound frame.

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Notice of motion.

Mr.T.P.S.Chawla, DAG, Punjab accepts notice on behalf of the respondents. Copy of the paperbook has been supplied to him.

Keeping in view the above and in view of the fact that decision making process is yet to be completed, no useful purpose, as such, would be served by calling upon the respondents to file reply.

Accordingly, without commenting upon the merits of the case or the entitlement of the petitioner for the said post, the present writ petition is disposed of, with a direction to the competent authority, to take into consideration the representation dated 23.01.2018 (Annexure P-16), within a period of 3 months from the receipt of the certified copy of this order. In case the petitioner is found entitled for the said benefit, same be granted to him, within a period of 2 months, thereafter. However, in case an adverse order is to be passed, same should contain reasons and be conveyed to the petitioner, forth-with.

17.09.2018
Sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*