

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

CWP No. 26315-2018

Date of decision : 11.10.2018

Rishi Pal and others

...Petitioners

versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Jasmer Singh Rozera, Advocate
for the petitioners.

RITU BAHRI, J. (Oral)

Petitioners were appointed as Field Worker (IVth class) through employment exchange in the department of respondent No. 3. Petitioner No. 1 joined on 05.04.1988 and promoted as Clerk on 25.06.2014, Petitioner No. 2 joined on 11.10.1993 and promoted as Clerk on 25.06.2014 and Petitioner No. 3 joined on 05.01.1988 and promoted as Clerk on 25.06.2014.

The grievance of the petitioners before this Court that in the promotion orders of the petitioners, the respondent-department imposed a condition of passing of type test/computer appreciation test, which is against policy dated 30.03.1973 (Annexure P-4).

Learned counsel at the very outset has referred to order dated 17.01.2013 (Annexure P-8) whereby respondent-department exempted the condition of passing of type test/computer appreciation test in a case of Mahesh Chand, Clerk on the ground that he is 54 years of age. When this

order was passed, the petitioners were also above the age of 50 years.

In this regard, the petitioners had given a representation dated 16.01.2016 and legal notice dated 23.08.2018 (Annexure P-9 and P-10), in view of the decision taken by this Court in CWP NO. 5566-1991, decided on 03.09.2001 (Annexure P-11) but till date no action has been taken,

In view of the above factual position, this petition, at this stage is being disposed of without expressing any opinion on the merits of the case, by giving a direction to respondents to pass speaking order on the representation dated 16.01.2016 and legal notice dated 23.08.2018 (Annexure P-9 and P-10) filed by the petitioners, in accordance with law. This exercise shall be completed within a period of four weeks' from the date of receipt of certified copy of this order.

(RITU BAHRI)
JUDGE

11.10.2018
G Arora

Whether speaking/reasoned	Yes
Whether reportable	No