

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

CWP No.3283 of 2018
Date of decision: 14.02.2018

Ramesh Chand

... Petitioner

Versus

Pt. Bhagwat Dayal Sharma University of Health Sciences, Rohtak

... Respondent

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Saurabh Dalal, Advocate for the petitioner.

ARUN PALLI, J. (Oral)

Petitioner was appointed as Radiographer in the department of Radiology. He qualified B.Sc. (Medical Technology) (X-Ray) in the year 1997. He was promoted as Senior Radiographer on 15.02.2005, and during this period he also qualified M.Sc. (Medical Technology) (Radiodiagnosis) from PGI Chandigarh. The next promotion from the post of Senior Radiographer is to the post of Technical Supervisor, and under the Rules all the posts are required to be filled by promotion from amongst the Senior Radiographers. The petitioner purports to be fully eligible for promotion and is also the senior-most in his cadre. And although he had applied to be considered for promotion on 15.09.2017, but the respondents did not considered his claim. And that was so even after a reminder dated 13.12.2017. A legal notice dated 30.01.2018 (Annexure P2), the respondents have been served with, too has failed to evoke any response. Rather names

of certain other employees, who were not even eligible, have been forwarded for consideration of promotion. And the petitioner continues to suffer.

That being so, the petition is disposed of, at this stage, only with a direction to the respondents to consider and decide the claim of the petitioner, as also his representation dated 15.09.2017 (Annexure P1) and legal notice dated 30.01.2018 (Annexure P2), within a period of 6 weeks from the receipt of certified copy of this order. And pass appropriate orders in accordance with law. In the event the claim of the petitioner is declined, the respondent authority shall pass a comprehensive order after affording an opportunity of hearing to the petitioner, and assigning reasons in support thereof.

(Arun Palli)
Judge

14.02.2018
Rajan

Whether speaking / reasoned:	YES
Whether Reportable:	NO