

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

CWP No.3893 of 2018
Date of decision: 19.02.2018

Bharat Bhushan

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Surinder Dagar, Advocate for the petitioner.

ARUN PALLI, J. (Oral)

The petitioner prays for a writ of certiorari to quash the order dated 18.06.2015 (Annexure P4), vide which respondents No.3 & 4 were promoted to the post of District Food and Supplies Officer (DFSO), as also the order dated 17.01.2018 (Annexure P6), whereby even respondents No.5 to 8 have since been promoted to the said post, despite being junior to the petitioner. The grievance of the petitioner is that even though the chargesheet pending against the petitioner under Rule 7 was dropped, pursuant to an order dated 15.06.2015 (Annexure P3), there was hardly any occasion to ignore his claim for promotion, while promoting respondents No.3 & 4 on 18.06.2015. Thus, even though, subsequently, while promoting respondents No.5 to 8 on 17.01.2018 another chargesheet under Rule 7 was pending against the petitioner, and he was not considered for promotion, but his claim as on 18.06.2015 could not be ignored. The petitioner purports to have even served the respondents with a legal notice dated 12.10.2017 (Annexure P7) in this regard. But to no avail.

That being so, the petition is disposed of, at this stage, only with a direction to the respondents to consider and deal with the grievance of the petitioner, as also his legal notice dated 12.10.2017 (Annexure P7), within a period of 3 months from the receipt of certified copy of this order. And pass appropriate orders in accordance with law. Needless to assert that in the event the claim of the petitioner is declined, the respondent authority shall pass a comprehensive order assigning reasons in support thereof.

(Arun Palli)
Judge

19.02.2018
Rajan

Whether speaking / reasoned:
Whether Reportable:

YES
NO