

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

CWP No. 5082 of 2018

Date of Decision: 01.03.2018

Satya Pal Kagra

...Petitioner

Vs.

State of Haryana and another

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. Vipin Pal Yadav, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J. (Oral)

The petitioner is a Member of Scheduled Caste (Valmiki) claiming promotion as Planning Assistant on the basis of reserved roster point. Learned counsel for the petitioner submits that General Category candidates have been promoted as Planning Assistants by ignoring the claim of the petitioner.

Learned counsel for the petitioner further submits that on the basis of the information received under Right to Information Act, 2005 the noting sheet reveals that the petitioner and one Ranbir Singh fulfil the necessary criteria for promotion to the post of Planning Assistants as they are more than 70% good and above ACR. No complaint or enquiry is pending. The noting sheet dated 09.11.2013 reveals that no action has been taken thereafter.

The petitioner has served representation-cum-legal notice dated 15.11.2017 (Annex.P-8) bringing the relevant facts to the notice of the Administration to consider his claim for promotion on the reserved roster point earmarked for the members of the Scheduled Caste.

The representation-cum-legal notice has not be elicited any response from the promoting authority so far.

Accordingly, this petition is disposed of with the direction to the respondent to consider representation-cum-legal notice and convey the decision of the Department to the petitioner after affording an opportunity of personal hearing to the petitioner. Exercise be completed within two months from the date of receiving of the certified copy of the order. The order shall be passed in accordance with law and the prevailing reservation policy of the State.

With these directions, the petition stands disposed of.

(RAJIV NARAIN RAINA)
JUDGE

01.03.2018
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Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*