

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

Sr. No.102

Civil Writ Petition No.6945 of 2018
DECIDED ON: May 24, 2018

JAGDISH RAI GUPTA

..PETITIONER

VERSUS

STATE OF HARYANA AND ANOTHER

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Sandeep Panwar, Advocate,
for the petitioner.

JASPAL SINGH, J. (ORAL)

Through the instant civil writ petition, preferred under Article 227 of the Constitution of India, petitioner has sought the issuance of a writ in the nature of Certiorari quashing the order dated 02.02.2015 (P-5) to the extent of denying the notional promotion on the post of Sub Divisional Engineer to him w.e.f. 01.01.1984 AND FURTHER issuance of a writ in the nature of Mandamus directing the respondents to promote him notionally on the post of Sub Divisional Engineer w.e.f. 01.01.1984 instead of 01.01.1985 against one balanced vacancy of AMIE quota and grant all consequential benefits.

2. Learned counsel for the petitioner contends that though a legal notice was made to the respondents on 25.10.2016 (P-8) but till date no final decision has been taken by the concerned authority. He further submits that petitioner feels satisfied in case a direction is issued to respondent No.2 to decide the aforesaid legal notice (P-8) within some specified period.

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3. Without expressing any opinion on the merits of the case, instant petition is disposed of with a direction to respondent No.2-Engineer-in-Chief, Department of P.W.D. (B&R), Haryana, Plot No.1, Sector 33-A, Nirman Sadan, Chandigarh to look into the grievances unfolded by the petitioner in the legal notice dated 25.10.2016 (P-8) and to take a conscious decision by passing a speaking order as per rules and instructions issued by the Government from time to time, within a period of four months from the date of receipt of a certified copy of this order.

4. However, if petitioner still feels aggrieved by any of the orders passed by the aforesaid authority, he shall be at liberty to have recourse to other remedies available under law as well as to approach this Court.

May 24, 2018

Ankur

**(JASPAL SINGH)
JUDGE**

**Whether speaking/reasoned
Whether reportable**

**Yes
Yes/No**