

CWP No. 7132 of 2018

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

**CWP No. 7132 of 2018
Date of decision: 22.3.2018**

Raman Kumar

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Rajesh Arora, Advocate
for the petitioner.

ARUN PALLI, J. (Oral)

Notice of motion.

Mr. R.K. Doon, AAG., Haryana, present in Court, accepts notice on behalf of respondents No.1 and 2, Mr. Hitesh Pandit, Additional A.G. Haryana, on behalf of respondents No.3 and 4, and Mr. Raman B. Garg, Advocate, on behalf of caveator-respondent No.5. Copies supplied.

In the nature of order I propose to pass, no formal written statement(s)/counter-affidavit(s) on behalf of the respondents are indeed necessary at this stage. Thus, with the consent of the learned counsel for the parties, the petition is being disposed of finally.

The petitioner was appointed as Junior Engineer on 25.11.1983. He was promoted as Assistant Engineer on 19.6.1997. Whereas, Sh. Naresh Dutt Vashisth (respondent No.5), was appointed as J.E. on 15.1.1985, and

CWP No. 7132 of 2018

promoted as Assistant Engineer w.e.f. 19.9.2000. Thus, the petitioner claims himself to be senior to respondent No.5. It is urged that petitioner possessed the requisite qualification as also the experience, and was, therefore, eligible for promotion to the post of Executive Engineer in the year 2005, but was promoted on 27.5.2010. On the contrary, respondent No.5 was promoted as Executive Engineer on 31.7.2008. However, again, the claim of the petitioner was ignored, for respondent No.5 was further promoted as Superintending Engineer w.e.f. 22.2.2015, and the petitioner was promoted, pursuant to an order dated 27.9.2017 (Annexure P-8). The petitioner even represented to the respondents in this regard, but to no avail. Resultantly, he approached this Court, vide CWP No. 1791 of 2018, which was disposed of, vide order and judgment dated 29.1.2018, requiring the respondents to examine the claim/grievance of the petitioner and pass appropriate orders, in accordance with law. Though the petitioner purports to have served the respondents with the said order, vide legal notice dated 1.2.2018 (Annexure P-16), but the respondents have not yet passed any order in compliance thereof. And, instead, promoted respondent No.5 to the post of Chief Engineer, vide order dated 9.3.2018 (Annexure P-18). And again, being aggrieved, the petitioner alleged to have represented to the respondents, vide legal notice dated 12.3.2018 (Annexure P-19).

As to this, learned counsel for the respondents No.1 to 4, submit that claim/grievance of the petitioner shall be considered and decided within a period of four weeks from today, after seeking reply/response even from respondent No.5. And necessary orders, in compliance to the order of this Court, dated 29.1.2018 (Annexure P-15), shall also be passed.

That being so, and without commenting upon merits of the case

CWP No. 7132 of 2018

of either party, the petition is disposed of, in the above terms. Needless to assert, the authority shall pass a comprehensive order assigning reasons in support thereof.

22.3.2018
AK Sharma

(ARUN PALLI)
JUDGE

Whether speaking / reasoned:	YES
Whether Reportable:	NO