

129

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

CWP-950-2018

Date of decision-18.01.2018

Kulvinder Singh

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Jatinderpal Singh, Advocate for the petitioner.

JITENDRA CHAUHAN, J. (Oral)

This writ petition under Articles 226/227 of the Constitution of India has been filed for the issuance of a writ, in the nature of mandamus directing the respondents to consider the case of the petitioner for promotion to the post of Naib Tehsildar by counting his period of officiating appointment as Kanungo towards the valid work experience of five years as required under the Punjab Naib Tehsildars (Class-III) Service Rules, 1984.

Learned counsel for the petitioner states that at this stage he would be satisfied if a direction is issued to respondents to consider and decide the representation dated 22/23.09.2017 (Annexure P-16) within stipulated time.

Notice of motion.

At the asking of the Court, Mr. Navdeep Chhabra, DAG, Punjab accepts notice on behalf of the respondent-State. A complete copy of the paper book has been furnished to the learned State counsel, in the Court.

Heard.

In view of the above, State is directed to consider the case of the petitioner in the light of the Instructions dated 14.12.1981 (Annexure P-18) and the judgement passed by this Court in CWP No.12679-2010 titled as “Chandigarh Administration Vs. Vipin Gupta and another” decided on 25.10.2010.

On consideration, if the competent authority comes to the conclusion that the case of the petitioner is covered by the Instructions dated 14.12.1981 (Annexure P-18) and law laid down by this Court in Chandigarh Administration's case (supra), necessary consequential relief be granted within three months.

However, in case, on consideration, if the competent authority reaches to the satisfaction that case of the petitioner is not covered under the said Instructions and law laid down in Chandigarh Administration's case (supra), then a speaking order on representation dated 22/23.09.2017 (Annexure P-16) be passed within a period of three months from the receipt of certified copy of the order.

Disposed of.

(JITENDRA CHAUHAN)
JUDGE

18.01.2018

vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No