

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CWP-6978-2019

Date of decision: - 14.03.2019

Baij Nath

...Petitioner

Versus

The State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. G.P. Vashisht, Advocate  
for the petitioner.

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HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the challenge is to the order dated 25.06.2012 by which Sh. Tarsem Singh (respondent No.4), who is at position No.1264, was promoted.

Counsel for the petitioner states that seniority position of the petitioner was 1149 and therefore, he was entitled for promotion, as he is senior to Sh. Tarsem Singh.

No record has been produced as to on what basis, the present petitioner is claiming the promotion, at this belated stage. Petitioner never challenged the order of promotion of Sh. Tarsem Singh while he was in service or Sh. Tarsem Singh was in service. Now, probably both of them have already retired.

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, the petitioner has served the respondents with a legal notice on 26.04.2018 (Annexure P-5), which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner, the respondents are directed to decide the legal notice dated 26.04.2018 (Annexure P-5) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. In case after the decision, it is found that the petitioner is entitled for any monetary benefit, the same shall also be released to him within a period of next three months.

Present writ petition stands disposed of.

**( HARSIMRAN SINGH SETHI )**  
**JUDGE**

**March 14, 2019**  
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| Whether reasoned/speaking? | Yes |
| Whether reportable?        | No  |