

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

CWP-9944-2019

Date of decision: 12.4.2019

Habans Singh and another

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr.JS Maanipur, Advocate for the petitioners

JITENDRA CHAUHAN, J.

This writ petition under Articles 226/227 of the Constitution of India has been filed for issuance of direction to the respondents to consider and grant promotion to the petitioners to the post of Junior Engineer with effect from the date when their juniors were promoted in terms of law laid down by Hon'ble the Supreme Court in “**Union of India vs. Hemraj Singh Chauhan 2010(2) RSJ 728**” and the judgment dated 31.3.2016 (Annexure P-2) passed by this Court in **CWP-2288-2015** titled as “**Narinder Nath Sudan vs. State of Punjab and others**”.

Learned counsel for the petitioners states that at this stage, he would be satisfied, if a direction is issued to respondent No.2- Chief Engineer (South), Water Supply & Sanitation (Non-gazetted Establishment), Nabha Road, Patiala to consider and decide the legal notice dated 25.10.2017 (Annexure P-4) expeditiously.

Heard.

A complete set of paper book has been handed over to Mr.Vikas Mohan Gupta, Addl.AG, Punjab in the Court today.

In view of the above, without advertng to the merits of the case, the present petition is disposed of with a direction to respondent No.2- Chief Engineer (South), Water Supply & Sanitation (Non-gazetted Establishment), Nabha Road, Patiala to consider and decide the legal notice dated 25.10.2017 (Annexure P-4) within six weeks from the date of receipt of the certified copy of the judgment. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioners is admissible to them, in such eventuality, the consequential relief be allowed to them, within a period of six weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioners is not admissible or made out, in that case, a speaking order be passed in the matter.

12.4.2019
gsv

[JITENDRA CHAUHAN]
JUDGE

Whether speaking / reasoned?

Yes / No

Whether reportable?

Yes / No