

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

CWP-11047-2019

Date of decision: - 29.04.2019

Kapoor Singh

....Petitioner

Versus

Dakshin Haryana Bijli Vitran Nigam Limited and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Sandeep Singal, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

In the present writ petition, the grievance of the petitioner is that he was fully eligible for promotion as Assistant Engineer-I/SDO, but due to the pendency of the charge-sheets, which were served upon him, he was not promoted when the persons junior to him were considered and promoted on 31.03.2010.

Counsel for the petitioner states that out of the total six charge-sheets, which were pending against the petitioner, four charge-sheets were dropped and in two charge-sheets, minor punishments were imposed. These punishments were imposed after the juniors to the petitioner had already been promoted to the higher rank on 31.03.2010.

Counsel for the petitioner further contends that as the minor punishments were imposed against the petitioner, the same could not have been made a ground to withhold the promotion of the petitioner. Further, the petitioner filed a representation with the respondents for the grant of

the benefit of promotion from the date when the persons junior to him were promoted and one such representation has been attached as 20.09.2016 (Annexure P-5).

Counsel for the petitioner further states that the said representation has been processed by the department with the favourable comments, but no final order has been passed by the respondents despite the fact that the petitioner has already been superannuated from service on 31.10.2016.

Counsel for the petitioner further states that at this stage petitioner will be satisfied in case a time bound direction is issued to the respondents to decide representation dated 20.09.2016 (Annexure P-5) by passing a speaking order.

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 representation dated 20.09.2016 (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

April 29, 2019
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Whether reasoned/speaking?	Yes
Whether reportable?	No