

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

**CWP No. 11733 of 2019
Date of Decision : 06.05.2019**

Vije Pal Singh Mann

...Petitioner

Versus

The State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Amarjit Singh Bedi, Advocate for the petitioner.

Harsimran Singh Sethi, J.(Oral)

In the present writ petition, petitioner is seeking promotion to the post of Superintending Engineer.

As per the averments made in the writ petition, persons junior to the petitioner were promoted on 25.11.2016 but the case of the petitioner was kept in sealed cover due to the pendency of an FIR No. 126 dated 17.06.2003, under Sections 406, 409, 120-B IPC and under Section 13(1)(d) read with Section 13(2) 88 of the Prevention of Corruption Act.

Learned counsel for the petitioner states that petitioner has already been acquitted in the said FIR on 14.03.2018 and, therefore, the impediment/reason due to which the case of the petitioner was kept in sealed cover by the Departmental Promotion Committee on 10.11.2016 is no longer in existence and, therefore, the sealed cover is liable to be opened so as to grant the benefit of promotion to the petitioner as Superintending

Engineer with effect from the date persons junior to the petitioner were promoted.

Learned counsel for the petitioner states that for the relief, which has been claimed in the present writ petition, the petitioner has served the respondents with a legal notice dated 12.09.2018 (Annexure P-5) and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the legal notice by passing a speaking order.

Without going into the merits of the case or expressing any opinion to the entitlement of the petitioner in respect of the relief claimed in the present writ petition or in the legal notice, the present writ petition is disposed of with a direction to the respondents to pass an appropriate speaking order on the claim raised by the petitioner in the legal notice dated 12.09.2018 (Annexure P-5) within a period of three months from the date of receipt of certified copy of this order.

The writ petition stands disposed of.

May 06, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned? *Yes/No*
Whether reportable? *Yes/No*