

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

CWP No.13846 of 2019

Date of Decision : 31.10.2019.

Mohan Lal

...Petitioner

Versus

State of Haryana and others

....Respondents

Coram : Hon'ble Mr. Justice B.S.Walia

Present: Mr. N.S. Chowdhary, Advocate for
 Mr. C.R. Narwal, Advocate for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

B.S.WALIA, J. (Oral)

1. Prayer in the writ petition is for the issuance of a writ of Mandamus for directing the respondents to consider the claim of the petitioner for promotion to the post of Laboratory Assistant w.e.f. 15.05.1996 instead of March, 2011.

2. Learned counsel for the petitioner states that despite the petitioner having served demand notice Ex.P/8 dated 26.11.2018, no decision has been taken on the same till date and that in the circumstances, the petitioner would be satisfied if the writ petition is disposed of by directing respondent No.2 to consider and decide the claim of the petitioner as made in demand notice Ex.P/8 dated 26.11.2018.

3. Learned Sr. DAG states that he has no objection to the innocuous prayer of the petitioner except that the direction to decide the claim of the petitioner be subject to the decision of Hon'ble Supreme Court of India in **C. Jacob vs. Director of Geology and Min. Industries Est. and another 2008 (10) SCC 115.**

4. Without commenting on the merits of the claim or the entitlement of the petitioner to the relief claimed, the writ petition is disposed of by directing respondent No.2 to consider and decide the claim of the petitioner as made in demand notice Annexure P/8 dated 26.11.2018, in accordance with law by keeping in view the law enunciated by Hon'ble the Supreme Court in C. Jacob's case (supra), as expeditiously as possible preferably within three months from the date of receipt of certified copy of this order.

5. Writ petition disposed of in the aforementioned terms.

(B.S.WALIA)
JUDGE

31.10.2019.

rajesh.k.khurana

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No