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

COCP No. 2303 of 2019
DECIDED ON: DECEMBER 06, 2019

BEANT SINGH

.....PETITIONER

VERSUS

SATISH CHANDRA, IAS, ADDI. CHIEF SECRETARY

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE AVNEESH JHINGAN.

Present: Mr. Jatin Salwan, Advocate
for the petitioner.

Ms. Samina Dhir, DAG, Punjab.

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AVNEESH JHINGAN, J (ORAL)

The petitioner filed a writ petition seeking direction to the respondents to promote him to the post of Senior Lecturer (redesignated as Assistant Professor) in the Speciality of Gynae and Obstetrics. The petition was allowed on 31.10.2018. The relevant portion of the order is reproduced as under:-

> *" Keeping in view the fact that the petitioner has been given promotion to the post of Assistant Professor from the due date and that the further promotion to the post of Associate Professor was also considered and recommendations had been made, accordingly, there is no bar in promoting the petitioner from the back date as the legitimate right had accrued to the petitioner. The petitioner in fact, deserved to be promoted with effect from the date roster point No.44 became available. The rightful claim of the petitioner was not given to him for a considerable period. With the intervention of the Court, he was promoted to the post of Assistant Professor with effect from the due back date. The necessary consequence thereof has to follow. The petitioner deserves to be*

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given the further promotion as well with effect from the date, it became available. Consequently, the present civil writ petition is allowed. The respondents are directed to promote the petitioner from the back due date. The necessary exercise be done within a period of two months from the date of receipt of certified copy of the judgment"

The present petition is filed pleading wilful disobedience of the directions of this Court.

Pursuance to the notice of motion, respondent filed reply dated 31.10.2019 annexing the order dated 17.09.2019 (Annexure -R1) whereby, the notional promotion was given to the petitioner.

Today, learned State counsel has filed a short reply by way of an affidavit of Sh. D.K, Tiwari, Principal Secretary, Medical Education & Research Punjab annexing the order dated 03.12.2019, same is taken on record, copy handed over to the counsel for the petitioner.

Learned State counsel submits that the order dated 17.09.2019 is withdrawn and recommendations have been made by the Departmental Promotion Committee to approve all the consequential benefits accrued to the petitioner as a result of back date promotion.

Learned State counsel, on instructions from Mr. Gulzar Khan, Sr. Assistant, O/o DRME, Punjab, submits that monetary benefits shall be credited in the accounts of the petitioner within three months from today.

Learned counsel for the petitioner submits that still there is a grievance surviving as further promotion which is due to the petitioner has not been given. He seeks liberty to avail remedy in accordance with law for the redressal of surviving grievance.

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In view of above, the present petition is disposed of with liberty as prayed for.

DECEMBER 06, 2019 **(AVNEESH JHINGAN)**
sham **JUDGE**

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

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