

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

**CWP NO. 15914 OF 2016
DATE OF DECISION : 07.05.2019**

Suresh Kumar Gill and another

...Petitioners

versus

Chandigarh Administration and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Aman Chaudhary, Advocate,
for the petitioners.

Ms. Suman Devi Saxena, Advocate for
Ms. Deepali Puri, Advocate,
for respondents No.1 to 4.

None for respondents No.5 and 6.

ARUN MONGA, J. (ORAL)

1. On 16.01.2019, learned counsel for the petitioner submitted that the case of promotion of petitioner No.2 was under consideration. Petition qua petitioner No.1 has already been rendered infructuous, since he has been promoted during the pendency of writ petition. No order of promotion has been issued so far qua petitioner No.2.

2. Learned counsel for respondents No.1 to 4 submits that he needs more time to seek instructions qua promotion of petitioner No.2, which as per learned counsel for the petitioners, was under consideration.

3. Learned counsel for the petitioner contends that case

of petitioner No.2 is squarely covered by a Division Bench judgment of this Court rendered in CWP No. 10602 of 2017 titled as "*Union Territory, Chandigarh and others v. Central Administrative Tribunal, Chandigarh and others*", which in turn relied on a judgment rendered by the Apex Court in "*Chandigarh Administration v. Vipin Gupta and another*" 2011 (2) SCT 560 and "*Chief Engineer, Union Territory Chandigarh v. Ram Sarup Walia and others*" 2012 (3) SCT 157.

4. Learned counsel for the petitioner submits that the writ petition be disposed of with a direction to the respondents to consider the case of petitioner No.2 in terms of the judgments, *supra*.

5. In the premise, the petition is disposed of with direction to the respondents to take a decision by passing a speaking order qua the promotion of petitioner No.2 in terms of judgments, *ibid*, within a period of three months from the date of receipt of certified copy of this order. In case petitioner No.2 is found entitled to promotion as claimed by him, let appropriate order be passed within one month thereof.

(ARUN MONGA)
JUDGE

MAY 07, 2019
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Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No