

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

**CM-5495-CWP-2019 in/and
CWP No. 606 of 2011 (O&M)
Date of Decision: 15.07.2019.**

Jasvir Singh and others

... Petitioners

Versus

State of Punjab and others

... Respondents

CORAM : Hon'ble Mr. Justice Jitendra Chauhan

Present : Mr. D.V. Sharma, Sr. Advocate with
Ms. Eshjyot Walia, Advocate,
for the petitioners.

Ms. Gunkirat Kaur, AAG Punjab.

**JITENDRA CHAUHAN.J.(ORAL)
CM-5495-CWP-2019**

This is an application for placing on record notification dated 10.06.2015 issued by Ministry of Human Resource Development (Department of Higher Education), Government of India, New, Delhi; notification dated 04.11.2015 and judgment dated 21.08.2018 passed in CWP-12299 of 2017 (Annexures P-23 to P-25).

Annexures P-23 to 25 are taken on record subject to all just exceptions.

It is submitted that the present writ petition may be disposed of with a direction to the respondents to consider the claim of the petitioners in the light of notification dated 10.06.2015 (Annexure P-23); notification dated 04.11.2015 (Annexure P-24); and judgment

dated 21.08.2018 passed in CWP-12299 of 2017 titled as "Pardeep

Kumar vs. State of Haryana and others” (Annexure P-25).

With the consent of learned counsel for the parties,
the main case is taken on today's board.

Main case

This writ petition under Articles 226/227 of the Constitution of India has been filed for quashing of the order dated 23.08.2010 (Annexure P-4) passed by the respondent No.2 vide which persons junior to the petitioners were illegally promoted. The petitioners have also sought direction to the respondents to promote them to the post of Junior Engineers.

The learned counsel for the petitioners states that at this stage, he will be satisfied in case, the respondents are directed to consider and decide the case of the petitioners in the light of notification dated 10.06.2015 (Annexure P-23); notification dated 04.11.2015 (Annexure P-24); and judgment rendered in **Pardeep Kumar vs. State of Haryana and others decided on 21.08.2018 rendered in CWP No. 12299 of 2017 (Annexure P-25).**

Learned State counsel states that she is not averse to the prayer made by the learned counsel for the petitioners.

Heard.

In view of the above, without adverting to the merits of the case, the present petition is disposed of with a direction to the respondents to consider and decide the claim of the petitioners in the

light of notification dated 10.06.2015 (Annexure P-23); notification

dated 04.11.2015 (Annexure P-24); and judgment rendered in *Pardeep Kumar's case (supra)* within twelve weeks from the receipt of the certified copy of the judgment. In case, on consideration, the competent authority reaches to the conclusion that the benefit claimed by the petitioners is admissible to them, in such eventuality, the consequential relief be allowed to them, within a period of six weeks thereafter. However, in case the competent authority feels that the relief claimed by the petitioners is not admissible or made out, in that case, a speaking order be passed in the matter, in accordance with law.

Pending application(s) stand disposed of.

15.07.2019.
SN

(JITENDRA CHAUHAN)
JUDGE

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