

CWP-20196-2019 (O&M)

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

**CWP-20196-2019 (O&M)
Date of decision : 24.07.2019**

Sham Lal

... Petitioner(s)

Versus

State of Haryana and another

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. Shish Pal Laler, Advocate with
Mr. Shubham Saroha, Advocate
for the petitioner.

AMIT RAWAL, J. (ORAL)

Prayer in the present writ petition is for issuance of a writ in the nature of certiorari quashing order dated 15.03.2019 (Annexure P-6), whereby request of the petitioner for reversion/re-posting on his technical post of Painter, has been rejected by respondent No.2/Director General of Police, Haryana.

Learned counsel for the petitioner submitted that the petitioner. vide appointment letter dated 18.12.1989 (Annexure P-2), was appointed as Painter being technical post. However, in the year 2010, he was promoted as Clerk, but pay-scale of Painter is much higher than post of Clerk. Various examples were also referred to, but no action was taken, necessitating him to send legal notice dated 23.01.2019 (Annexure P-5) to the State of Haryana through Home Secretary, Government of Haryana and Director General of Police, Haryana. Respondent No.2/DGP, vide order

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dated 15.03.2019 (Annexure P-6), rejected the case of the petitioner, on the premise that similar request of the petitioner was rejected/declined twice i.e. On 14.10.2011 and 08.10.2018.

Though this Court was not inclined to interfere, but while noticing penultimate paragraph of the order dated 15.03.2019 (Annexure P-6), it was within the domain of the Government to take the decision. Legal notice was also addressed to Government of Haryana, but no action has so far been taken.

Without going into the merits and de-merits of the case, I dispose of the present writ petition with a direction to respondent No.1 to consider the representation/legal notice dated 23.01.2019 (Annexure P-5) and take appropriate decision thereon, in accordance with law, within a period of two months from the date of receipt of certified copy of this order.

It is made clear that in case, representation/legal notice is not decided within aforementioned specified time, there shall be costs of ₹50,000/- to be paid by the concerned Officer to the petitioner.

24.07.2019

Yogesh Sharma

**(AMIT RAWAL)
JUDGE**

Whether speaking/reasoned **Yes/ No**

Whether Reportable **Yes/ No**