

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

CWP-23245-2019

Date of decision: - 29.08.2019

Upinder Kumar and others

....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. Rajinder Singh Rangpuri, Advocate,
for the petitioners.

HARSIMRAN SINGH SETHI, J. (ORAL)

The grievance of the petitioner in the present writ petition is that though, a joint seniority list has been prepared by the respondents after the retirement of the petitioners in the cadre of Clerk/Senior Assistants/Ledger Keeper/Meter Clerk and the petitioners have been placed at Serial Nos.354, 406, 417, 416 and 283 respectively, but the benefit of notional promotion as Senior Assistant, as granted to the junior of the petitioners by the respondents, vide order dated 01.12.2017 (Annexure P-6), which benefit has not been extended to the petitioners without any valid justification.

The prayer of the petitioners is that once a notional promotion to the post of Senior Assistant has been given to one Sh.Surinder Kumar Nagpal, who is junior to the petitioners and is at

Sr.No.419 in the freshly prepared seniority list, the petitioners are also entitled for the same benefit of notional promotion as Senior Assistant, being senior to him.

Counsel for the petitioners prays that a direction needs to be issued to respondent No.2 to grant the petitioners the benefit of notional promotion as Senior Assistant as given to their junior.

Counsel for the petitioners states that for the relief which has been sought in the present writ petition, petitioners have served the respondents with a legal notice dated 19.04.2019 (Annexure P-10), which is still pending consideration with the respondents and the petitioners will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal notice.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioners, the respondents are directed to decide the legal notice dated 19.04.2019 (Annexure P-10) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

August 29, 2019
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Whether reasoned/speaking?	Yes
Whether reportable?	No