

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

(232)

CWP-9870-2017

Date of Decision: May 15, 2019

Iqbal Chand

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. R.K. Arora, Advocate, for the petitioner.

Mr. Mehardeep Singh, Addl. A.G., Punjab.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present writ petition, the claim which is being made by the petitioner is that the petitioner is entitled for promotion to the post of Senior Assistant w.e.f. the date the persons junior to him were granted. For claiming the said relief, the reliance is being placed by the petitioner on the judgment of this Court in **CWP No.4856 of 2011 titled as Vinod Kumari Vs. State of Punjab and others, decided on 14.03.2013**, which order has been modified by the Division Bench of this Court in LPA No.1355 of 2013, decided on 10.05.2016.

Learned counsel for the petitioner states during the pendency of the writ petition, the respondents have passed an order on 26.04.2019 by which the benefit of promotion to the post of Senior Assistant has been given to the petitioner on notional basis from 17.06.2015. The said benefit has been given keeping in view the promotion of one Smt. Neena Devi, who was promoted from the said date.

Learned counsel for the petitioner states that while granting the said benefit to the petitioner on 26.04.2019, the respondents have ignored the fact that there were other juniors of the petitioner, who were promoted on 22.07.2010 namely Sh. Darshan Singh son of Sh. Gurbachan Singh, Sh. Paramjit Singh son of Sh. Chanan Singh, Sh. Surjit Singh son of Sh. Sohan Singh and Sh. Avtar Singh son of Sh. Amar Singh.

Learned counsel for the petitioner states that after the order was passed on 26.04.2019, the petitioner has filed a representation with the respondents claiming the benefit of promotion as Senior Assistant w.e.f. 22.07.2010 i.e. when the date immediate juniors were promoted and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said representation by passing an appropriate speaking order.

Learned counsel for the respondents very fairly states that the department has received the representation dated 07.05.2019 submitted by the petitioner and an appropriate order will be passed on the same within a period of three months from the receipt of copy of this order.

Keeping in view the above, counsel for the petitioner states that he does not wish to press the writ petition any further and states that the same be disposed of as such.

Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

May 15, 2019
harsha

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