

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-27169 of 2019

Date of decision: 23.09.2019

Hardeep Singh

.... Petitioner

versus

State of Haryana and another

.... Respondents

CORAM:HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Vikas Chatrath, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. .

Counsel for the petitioner argues that though, in the year 2000, the case of the petitioner was considered for promotion to the post of Assistant Controller (Legal Metrology) but the benefit of promotion was not granted to him as an FIR under Sections 7,8 and 13(2) of Prevention of Corruption Act was registered against the petitioner on 17.08.1998 was pending. Counsel further argues that in the year 2013, the petitioner was acquitted from the said FIR and, therefore, the petitioner became entitled for consideration of his case for promotion to the post of Assistant Controller (Legal Metrology) with effect from the date, when his junior namely Ravinder Singh was promoted. Counsel states that though a period of six years have been elapsed, since the petitioner was acquitted but no benefit of promotion has been given to the petitioner, despite the fact that there is no impediment now for consideration of the case of petitioner for grant of promotion to the post of Assistant Controller (Legal Metrology), with effect from the date person junior to the petitioner was promoted.

Counsel for the petitioner states that for the relief, which is claimed in the present writ petition, the petitioner has served the respondents with legal notice dated 03.03.2019 (Annexure P/9) raising his claims which is still pending consideration with the respondents and the petitioner 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 petitioner, the respondents are directed to decide the legal notice dated 03.03.2019 (Annexure P/9) by passing a speaking order within a period of three months from the date of receipt of a certified copy of this order. It is made clear that while passing speaking order, all the persons including the petitioner, who are likely to be affected by the said decision should be given hearing to know their stand as well.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

23.09.2019
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| 1. | Whether speaking/non-speaking? | Yes/No |
| 2. | Whether reportable? | Yes/No |