

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.29203 of 2019

DATE OF DECISION:14.10.2019

Major Singh

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Harnek Singh, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (ORAL)

Counsel for the petitioner argues that the petitioner was promoted as Yard Master vide order dated 21.04.2011 having endorsement dated 28.04.2011 but the said order was not served upon the petitioner before he superannuated on 30.04.2011 and, therefore, the petitioner could not join the post before his retirement though, the order of promotion was already in existence at the time of his retirement.

The claim of the petitioner is that the respondents be directed to consider the petitioner having retired as Yard Master instead of Driver and grant him the consequential benefits of the said order of promotion dated 21.04.2011/28.04.2011.

Learned counsel for the petitioner states that for the relief which has been claimed in the present writ petition, the petitioner has submitted the appeal/representation dated 06.07.2018 (Annexure P-5) and the same has been received at Diary No.2040

dated 04.07.2018 and the petitioner will be satisfied, at this stage, in

case a time bound direction is issued to the respondents to decide the appeal/representation dated 06.07.2018 (Annexure P-5) by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the appeal/representation dated 06.07.2018 (Annexure P-5), the present writ petition is disposed of with a direction to the respondents to decide the appeal/representation dated 06.07.2018 (Annexure P-5) within a period of three months from the receipt of certified copy of this order.

In case, it is found that the petitioner is entitled for any monetary benefits after the decision on the appeal/representation, the same should also be paid to him within three months thereafter.

October 14, 2019
jt

(HARSIMRAN SINGH SETHI)
JUDGE

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