

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

**CWP NO. 35245 OF 2019
DATE OF DECISION : 04.12.2019**

Suresh Kumar

...Petitioner

versus

State of Punjab and another

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Gurcharan Dass, Advocate,
for the petitioner.

Ms. Monica Chhibber Sharma, Sr. DAG, Punjab.

ARUN MONGA, J.(ORAL)

Petitioner herein seeks quashing of letter/order dated 04.09.2019 (Annexure P-6), whereby objections filed by him have been rejected. Further prayer has been sought for issuance of writ of mandamus directing the respondents to place the petitioner in final list of Junior Assistants and give him due placement w.e.f 20.12.2016 and grant him all financial benefits .

2. The petitioner submitted representation dated 16.07.2019 (Annexure P-5) followed by legal notice dated 04.10.2019 (Annexure P-12), but the same have not been adverted to by the respondents. Hence the petition.

3. Notice of motion.

4. On advance service of copy of petition, Ms. Monica Chhibber Sharma, Senior Deputy Advocate General, Punjab, has put in appearance on behalf of respondent-State.

5. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

6. A perusal of the impugned letter/order dated 04.09.2019 (Annexure P-6) would reveal that no reason whatsoever has been assigned while rejecting the application/objections of the petitioner. The order merely states in a cryptic manner that the application has been "consigned". Nothing more.

7. Without commenting on the merits of the case, the writ petition is disposed of with a direction to respondents to objectively consider the legal notice dated 04.10.2019 (Annexure P-12) and also by keeping in view the contentions stated in the present writ petition by treating it as a supplementary representation and pass a speaking order, in accordance with law.

8. In the premise, impugned order dated 04.09.2019 (Annexure P-6) is set aside with liberty to the respondents to pass fresh speaking order, as aforesaid.

9. Let the needful be done within a period of three months from the date of receipt of certified copy of this order.

10. Disposed of in above terms.

(ARUN MONGA)
JUDGE

DECEMBER 04, 2019
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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No