

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(131)

CWP No. 36244 of 2019

Date of Decision : 13.12.2019

Kulwant Singh

....Petitioner

Versus

The State of Punjab and another

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Shashi Bhushan Nagpal, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner states that the petitioner was senior to one Mangal Dass, who was granted promotion along with the petitioner as Senior Lab Attendant and Restorer vide order dated 08.10.2012 (Annexure P-7). The seniority position of the petitioner was 318, whereas, the seniority position of Mangal Dass was 546A. Counsel for the petitioner further states that keeping in view the order passed by this Court in CWP-8780 of 2015, Mangal Dass has been given promotion with retrospective effect i.e. from the year 1985. Counsel for the petitioner argues that another similarly situated person namely Gurdeep Singh, who was also junior to the petitioner as his seniority position was 492, has already been granted benefit of promotion w.e.f. 1985 by the respondents vide order dated 26.4.2019 (Annexure P-8) as granted to Mangal Dass.

Counsel for the petitioner argues that once the persons, who were junior to the petitioner have been granted promotion from the year 1985, the petitioner is also entitled for promotion from the said date.

Counsel for the petitioner states that for the relief which has been sought in the present writ petition, the petitioner has served the respondents with a legal notice dated 20.08.2019 (Annexure P-15), 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 20.08.2019 (Annexure P-15), 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.

December 13, 2019
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? *Yes*
Whether reportable? *No*