

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

CWP No.7911 of 2020

Date of Decision : 09.06.2020

Gurpal Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. D.S. Kadian, Advocate
for the petitioner.

Harsimran Singh Sethi, J. (Oral)

The petition has been taken for hearing through video conference due to Covid-19 pandemic.

In the present writ petition, the claim of the petitioner is that though, he has been appointed as Pump Operator but, in fact he is discharging the duties of Supervisor on current duty charge in the Water and Sewerage Wing of the Municipal Council, Rupnagar and being the senior most eligible employee, he is entitled for regular promotion to the post of Supervisor after the same became available on the retirement of one Surinder Pal Singh on 31.12.2018. Learned counsel for the petitioner argues that once the petitioner is already discharging the duties of the post of Supervisor on current duty charge, it can be very well assumed that the respondents require the services of an employee to discharge the duties of the said post, but, the respondents are not granting the petitioner benefit of regular promotion so as to deny him the benefit of pay of the post of

Supervisor. Learned counsel for the petitioner submits that a resolution has already been passed by the Municipal Council, Rupnagar approving the claim of the petitioner for promotion to the post of Supervisor but the same is not being implemented.

Prayer of the petitioner is that a direction be issued to the Municipal Council, Rupnagar for considering the claim of the petitioner for promotion to the post of Supervisor with effect from the date, the said post became available with all consequential benefits.

Learned counsel for the petitioner states that for the relief, which is being claimed in the present writ petition, the petitioner has already submitted a representation dated 28.02.2020 (Annexure P/11) to respondent No.2, which is still pending consideration with respondent No.2 and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No.2 to decide the same.

Notice of motion.

Ms. Monica Chhibber Sharma, Senior DAG, Punjab, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition accepts notice on behalf of the State of Punjab. Learned State counsel submits that the respondents have no objection with regard to deciding the representation dated 28.02.2020 (Annexure P/11) sent by the petitioner in a time bound manner.

In view of the above, without expressing any opinion on the merits of the case or the claim being made by the petitioner, respondent No.2 is directed to decide representation dated 28.02.2020 (Annexure P/11)

sent by the petitioner, by passing a speaking order within a period of two

months from the date of receipt of a certified copy of this order.

Present writ petition stands disposed of.

June 09, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

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