

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

CWP No.11708-2020

Date of Decision: 17.08.2020.

Manjit Singh

....Petitioner.

Versus

State of Punjab and others

....Respondents.

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

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

Suvir Sehgal, J.

The hearing of this case has been taken up through video conferencing due to Covid-19 pandemic.

Petitioner was appointed as Senior Assistant in the office of Deputy Commissioner, Ferozepur-respondent No.4 and was promoted to the post of Superintendent Grade-II vide order dated 31.05.2013 (Annexure P3). Vide letter dated 06.02.2019 (Annexure P5), the Additional Chief Secretary-cum-Financial Commissioner (Revenue) called for recommendations up to 18.02.2019 for appointment of candidates as Tehsildar in Register B-2. The petitioner submitted letter dated 12.02.2019 (Annexure P6) to the Deputy Commissioner, Fazilka requesting that his name be forwarded alongwith recommendation for the post of Tehsildar.

However, the recommendation was made by the Deputy Commissioner,

Fazilka, on 28.02.2019 (Annexure P7) i.e. after the cut off date, as a result of which his name was not considered and intimation in this respect was received from respondent No.2 vide impugned communication dated 20.06.2019 (Annexure P11). On the representation of the petitioner his case was again forwarded by respondent No.4 vide letter dated 19.07.2019 (Annexure P13). Another letter dated 20.09.2019 (Annexure P14) was issued by respondent No.2 for forwarding fresh names for appointment as Tehsildar in Register B-2. The Deputy Commissioner, Fazilka vide letter dated 24.09.2019 (Annexure P15) informed respondent No.2 that the case of the petitioner for promotion has already been sent. In the meantime, the petitioner was promoted as Superintendent Grade-I. In his joining report on 23.09.2019 (Annexure P19), the petitioner wrote that his name for promotion is already under consideration and in case, he is promoted as Tehsildar, he will submit his joining report as Tehsildar. When nothing was heard regarding his promotion, the petitioner represented to the office of respondent No.2 whereupon, vide impugned communication dated 06.11.2019 (Annexure P24), he was informed that there is no provision in the Rule 6 of Punjab Tehsildar (Group-B) Service Rules 2019 for promotion as Tehsildar from Superintendent Grade-I.

The petitioner submitted a comprehensive representation dated 22.06.2020 (Annexure P26) to respondent No.2, wherein he requested for reconsideration and submitted that he may be reverted from the post of Superintendent Grade-I to Superintendent Grade-II (Revenue and Records) and his case be considered for promotion from Superintendent Grade-II to Tehsildar in Register B-2. He also pointed out that his juniors have already

Government on 16.06.2020 (Annexure P25) inviting names for the post of Tehsildar Register B-2.

Counsel for the petitioner submits that the petitioner would be satisfied in case, the representation dated 22.06.2020 (Annexure P26) is considered by respondent No.2 by passing an appropriate speaking order within a specified time period.

Submission made by the petitioner is just and reasonable. Without going into the merits of the writ petition or without examining the claim set up by the petitioner in his representation, writ petition is disposed of with a direction to respondent No.2 to decide the representation dated 22.06.2020 (Annexure P26) submitted by the petitioner by passing a speaking order within period of two months from the date of receipt of certified copy of this order.

(SUVIR SEHGAL)
JUDGE

17.08.2020

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Whether speaking/ reasoned	:	Yes/ No
Whether Reportable	:	Yes/ No