

CWP No.11888 of 2020
Date of Decision:14.08.2020

Sadhu Singh and othersPetitioners

Vs.

State of Punjab and othersRespondents

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr. Preetwinder Singh Dhaliwal, Advocate,
for the petitioners.

Mr.Ayush Sarna, AAG, Punjab.

AMOL RATTAN SINGH, J. (Oral)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the Covid-19 pandemic.

By this petition, the petitioners seek issuance of a writ in the nature of 'certiorari', quashing the letter dated 08.07.2020 (Annexure P-5), issued by respondent no.2 and the seniority list Annexure P-2, contending that they are *ultra vires* Articles 14 and 16 of the Constitution of India.

This petition is disposed of with a direction to the competent authority amongst the respondents, i.e. either respondent no.1 or respondent no.2, whosoever is competent, to hear the grievance of the petitioners and thereafter pass a speaking order on such grievance; and in the meanwhile, promotions shall be made strictly as per the reservation roster, that is to say, no person shall be promoted in excess of the quota in each particular category.

It is, however, clarified that if a person from a reserved category is eligible for promotion in the general category on the basis of the combined

seniority in the cadre itself (including reserved categories), naturally such reserved category candidates would be promoted as per such seniority, even on general category posts.

The speaking order to be passed shall be passed within a period of 4 months from the date of receipt of a certified copy of this order.

Disposed of as such.

August 14, 2020

dharamvir/

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : YES
Whether Reportable : YES