

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

CWP No. 13660 of 2020

DATE OF DECISION : 04.09.2020

Sudarshan Kumar and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. P. K. Diwedi, Advocate,
for the petitioners.

Mr. Sanjay Mittal, AAG, Haryana.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

The petitioners have approached this Court under Article 226 of Constitution of India seeking issuance of a writ in the nature of certiorari quashing the orders dated 20.01.2017, 02.11.2018 and 27.02.2019 contained at Annexures P-6, P-10 and P-11 respectively, vide which private respondents have been ordered to be promoted as Assistants despite fulfilling the eligibility criteria. Further prayer has been made for directing the official respondents to consider the case of petitioners for promotion to the post of Assistant with all consequential benefits w.e.f 01.05.2019, the date when policy decision was taken.

2. Learned counsel for the petitioners contends that though the petitioners fulfil all the required qualification/conditions, but they have not been promoted to the post of Assistant, whereas the private respondents have been illegally promoted to the said post without their fulfilling the requisite conditions/criteria.

3. In these circumstances, the petitioners also submitted representation dated 01.07.2020 (Annexure P-16) but the same has not been adverted till date by the official respondents. Hence, the petition.

4. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the competent authority to objectively consider the representation dated 01.07.2020 (Annexure P-16) and also by keeping in view the contentions stated in the present petition by treating the same as supplementary representation and decide the same by passing a speaking order, in accordance with law.

5. Let the needful be done within a period of six months from today.

6. The petition stands disposed of accordingly.

SEPTEMBER 04, 2020
shalini

(ARUN MONGA)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No