

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

CWP No. 15159 of 2020 (O&M)

Date of Decision: 23.09.2020

Rakesh Kumar and another

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Ravi Pratap Singh, Advocate,
for the petitioners.

Ms. Mamta Talwar, DAG, Haryana.

(Presence marked through video conference).

ARUN MONGA, J (ORAL)

Petitioners herein seek issuance of a writ in the nature of certiorari to quash the order dated 17.12.2019 (Annexure P-4) issued by respondent No.3. Further prayer has been made for issuance of a writ in the nature of mandamus directing the respondents to promote them by giving the benefit of accelerated seniority as per 85th Constitutional Amendment Act relying on Apex Court in case titled as *Jarnail Singh and others Vs. Lachhmi Narain Gupta and others 2018(4) SCT 445* and Instructions dated 15.05.2015 (Annexure P-3) and order dated 04.09.2020 (Annexure P-5).

2. Learned counsel for the petitioners submits that petitioners submitted a representation dated 30.01.2020 (Annexure P-6) but the same has not been adverted by the respondents till date. Hence, the writ petition.

3. Learned counsel for the petitioners submits that at this stage, the petitioners would be satisfied if their pending representation dated 30.01.2020 (Annexure P-6) is objectively looked into by the competent authority and the same is decided by passing a speaking order.

4. In the premise, without commenting anything on the merits of the case, the instant petition is disposed of with a direction to the competent authority to objectively consider the representation dated 30.01.2020 (Annexure P-6) and decide the same by passing a speaking order, by going through Annexures P-3 and P-5, in accordance with law.

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

SEPTEMBER 23, 2020
vandana

(ARUN MONGA)
JUDGE

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