

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

108

CWP-16138-2020

Decided on : 05.10.2020

Paramjit Kaur & others

... Petitioners

Versus

Punjabi University Patiala & others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.Vishal Ghai, Advocate, for the petitioners.

Mr.Ajaivir Singh, Advocate, for the respondents.

(The proceedings are being conducted through video conferencing,
as per instructions.)

G.S. Sandhawalia, J. (Oral)

Prayer in the present writ petition, filed under Article 226 of the Constitution of India, by the petitioners, who are 8 in number and working as Library Restorer, is for issuance of direction to the respondents for promotion to the vacant posts of Library Assistant, as per the eligibility, from the date when the other co-employee was promoted to the said post. Further direction is also sought to finalize the seniority list.

Counsel for the petitioners submits that legal notice dated 20.07.2020 (Annexure P-19) has been served upon the respondents, putting forth their case that there are 13 posts of Library Assistant still lying vacant but the matter has been lingered on. It is submitted that the petitioners have the requisite qualifications and experience. Merely because CWP-1548-2013 is pending in which challenge has been raised to the selection process of the Library Restorers, in which there is no stay, the respondents are not deciding the issue, which would not be justified, in the facts and circumstances.

Notice of motion.

Mr.Ajaivir Singh accepts notice on behalf of the respondents.

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Keeping in view the fact that the decision making is not complete, this Court is of the opinion that no useful purpose would be served by calling upon the respondents to file reply.

Accordingly, without commenting upon the rights of the petitioners or their eligibility, the present writ petition is disposed of by directing the competent authority of the respondent-University to take a decision on the legal notice dated 20.07.2020 (Annexure P-19), within a period of 3 months from the receipt of a certified copy of this order. In case there is no legal impediment, the necessary benefits be given to them on the positive decision. In case the benefit is to be denied, respondents shall pass a speaking order and communicate the same to the petitioners.

OCTOBER 05, 2020

sailesh

**(G.S. SANDHAWALIA)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No