

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

CWP-18002-2020.

Date of Decision: October 29, 2020

SUNDER LAL

..... PETITIONER (s)

Versus

STATE OF HARYANA AND OTHERS

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Sunil Kumar Nehra, Advocate
for the petitioner.

Mr. Ashish Yadav, Addl. AG., Haryana.

LISA GILL, J.

This matter is being taken up for hearing through video conferencing due to the outbreak of pandemic, COVID-19.

Prayer in this writ petition is for issuance of a writ in the nature of mandamus for directing the respondent Department to promote the petitioner as Principal w.e.f. 28.12.2001, in view of instructions issued by the Haryana Government, vide which reservation has been granted to disabled persons for promotion.

Learned counsel for the petitioner submits that the petitioner is working on the post of Principal, Government Senior Secondary School, Rithal, Tehsil and District Rohtak, Haryana. The petitioner claims promotion to the post of Principal w.e.f. 28.12.2001 instead of 04.08.2008, on the basis of certain instructions, which have been issued subsequently

by the respondent-State. It is further submitted that benefit to a similarly situated person has been afforded by the respondent authorities vide order dated 04.05.2019 (Annexure P-10). Petitioner had earlier filed CWP-1754-2020, which was withdrawn by him in order to represent before the authorities. It is submitted that despite submission of a legal notice dated 16.03.2020 (Annexure P-12), the authorities are not taking any action.

At this stage, learned counsel for the petitioner restricts his prayer for a direction be issued to the competent authority, to decide the petitioner's legal notice dated 16.03.2020 (Annexure P-12), in a time bound manner.

Mr. Ashish Yadav, Addl. A.G., Haryana, to whom an advance copy of the petition has been supplied, does not raise any serious objection thereto.

Keeping in view the facts and circumstances of this case, but without any expression of opinion on the merits of the matter, this petition is disposed of with a direction to the competent authority to decide legal notice dated 16.03.2020 (Annexure P-12), within a period of two months from receipt of certified copy of this order.

Petition is disposed of accordingly.

29.10.2020
Sunil

(LISA GILL)
JUDGE

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