

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

CWP- 3085-2021 (O&M)

Date of decision : 11.02.2021

Kirandeep Singh

....Petitioner

Vs.

The Punjab State Agriculture
Marketing Board, Punjab and Others

....Respondents

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. R.K.Arora, Advocate for the petitioner.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

The prayer in the present petition is for issuance of directions to the respondents to consider the petitioner for the promotion to the post of the Auction Recorder against the 07 vacant posts in terms of instructions issued by respondent No.2 vide circular dated 11.11.2013 (Annexure P-17).

Learned counsel for the petitioner would contend that the petitioner was promoted to the post of the Clerk from Class-IV post in the year 2016. Thereafter, the petitioner was reverted to the post of Chowkidar without affording him an opportunity of hearing. The said order dated 11.01.2018 was challenged by the petitioner by filing CWP-862 of 2018 and vide order dated 17.01.2018 the order dated 11.01.2018 was stayed.

As per the Appendix 'B' and Rule 8 of the Market Committee (Class-III Service Rules, 1989) Clerks are liable to be promoted on the post of Auction Recorder. It has been contended by the learned counsel for the petitioner that 07 promotion posts are lying vacant and the petitioner is the senior most. Learned counsel for the petitioner further contended that a representation dated 25.09.2020 (Annexure P-19) has been sent in this

has further contended that in an identical case this Court had disposed off a petition being CWP-17741-2014 vide order dated 29.08.2014 with a direction to decide the representation and thereafter on the basis of the representation made by the petitioner-therein he was granted promotion subject to the decision in the earlier writ filed by the petitioner-therein. Learned counsel for the petitioner further contends that, at this stage, he would be satisfied if the present petition is disposed off with a direction to respondent No.1 to decide the representation dated 25.09.2020 (Annexure P-19) in a time bound manner.

In view of the limited prayer made by the learned counsel for the petitioner, no useful purpose would be served if notice of motion is issued upon the respondents.

Accordingly, the present petition is disposed off with a direction to respondent No.1 to consider the representation dated 25.09.2020 (Annexure P-19) in accordance with law and pass a speaking order within a period of three months from the date of receipt of certified copy of this order. In case the petitioner is found entitled to his claim, the same may be granted to him within a period of one month thereafter.

Disposed off.

February 11, 2021
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(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO