

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 5086 of 2021

Date of Decision: 04.03.2021

Usha Rani and others

....Petitioners

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present : Mr. Rajeev Godara, Advocate,
for the petitioners.

(Through Video Conferencing)

JASGURPREET SINGH PURI, J. (Oral)

The present petition has been filed under Articles 226/227 of the Constitution of India with a prayer for issuance of a writ in the nature of mandamus directing the respondents to grant deemed promotion to petitioner Nos. 1 to 3 w.e.f. 12.05.1995 i.e. the deemed date their juniors of reserve and general category were promoted, although the petitioners were eligible to be promoted on the same day. Further prayer has been made with regard to stepping up of pay of the petitioners being senior in general category and were at par with that of the junior counterparts of reserved and general category employees and, therefore, the petitioners are entitled to the same benefits.

The learned counsel for the petitioners has submitted that a detailed legal notice dated 30.09.2020 (Annexure P-8) was served upon the respondents but neither the legal notice has been considered nor the same has been decided by respondent No.2. He has further submitted that he will be satisfied in case appropriate directions are issued to respondent No.2 to

consider the legal notice dated 30.09.2020 (Annexure P-8) and decide the same.

Notice of motion.

On the asking of the Court, Mr. Deepak Manchanda, learned Additional Advocate General, Haryana, accepts notice on behalf of both the respondents and states that he has no objection in case, at this stage, appropriate directions are issued to consider the legal notice Annexure P-8 and to decide the same in accordance with law.

I have heard the learned counsel for the parties and I am satisfied that this petition can be disposed of at this stage without calling for reply from the State.

Consequently, the present petition is disposed of with a direction to respondent No.2 to consider the legal notice dated 30.09.2020 (Annexure P-8) filed by the petitioners and to pass a speaking order strictly in accordance with law within a period of eight weeks from the date of receipt of a certified copy of this order.

04.03.2021
rakesh

(JASGURPREET SINGH PURI)
JUDGE

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