

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

CWP-5425-2021

Date of Decision: 08.03.2021

Rattan Lal

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Ravi Pratap Singh, Advocate,
For the petitioner.

Ms.Mamta Talwar, DAG, Haryana.
(Presence marked through video conference)

ARUN MONGA, J. (ORAL)

Petitioner, *inter alia*, seeks issuance of a writ in the nature of certiorari to quash the seniority list dated 01.03.2019 (Annexure P-1) as also to quash the promotion order dated 29.11.2019 (Annexure P-2).

2. Learned counsel for the petitioner submits that petitioner was appointed as clerk on 11.06.1991 and private respondents No.3 and 4 joined as such on 13.01.1993 and 21.11.1994, respectively. He contends that as per applicable Rules and even otherwise, keeping in view the date of appointment in feeder cadre, the petitioner is senior to the private respondents. However, said private respondents have been promoted but petitioner has not been accorded the same benefit. In the premise, petitioner submitted a legal notice dated 30.10.2020 (Annexure P-3) but the same has not been adverted by the respondents till date. Hence, the instant petition.

3. On a query of the Court, learned counsel for the petitioner submits that petitioner, at this stage, would be satisfied if pending legal notice dated 30.10.2020 (Annexure P-3) is decided either way, by passing

appropriate administrative orders, so that the reasons for non-mitigation of the grievance of the petitioner are known to him before proceeding further.

4. Notice of motion.

5. Ms. Mamta Talwar, DAG, Haryana who has joined proceedings on advanceservice, accepts notice on behalf of the respondent-State of Haryana.

6. Given the nature of order being passed, there is no necessity to seek return by any of the respondents, as no further proceedings and/or pleadings are required.

7. Without commenting on the merits of the case, the writ petition is disposed of with a direction to the competent authority to look into the grievance of the petitioner as per legal notice dated 30.10.2020 (Annexure P- 3) and also by keeping in view the contentions stated in the present petition by treating the same as supplementary representation and decide the same by passing a speaking order, in accordance with law.

8. Let the needful be done within a period of 03 months from today.

9. Disposed of accordingly.

March 08, 2021
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No