

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

CWP No. 7568 of 2021

DATE OF DECISION :- September 08, 2021

Dharam Singh

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAAN

Present:- Mr. Arjun Sheoran, Advocate for the petitioner.

The case has been taken up through Video Conferencing.

Petitioner Dharam Singh, presently working as SDO, Div. Store, Dakshin Haryana Bijli Vitran Nigam, Gurugram-respondent No. 2 has brought the present civil writ petition seeking quashing of decision of respondent No. 2 dated 6.9.2019 (Annexure P-5) further seeking a direction to the respondents to promote him along with all consequential benefits with effect from the date of his juniors were promoted. In alternative, he has sought relief that respondent No. 2 be directed to decide his representation (Annexure P-4) in light of decision of the Apex Court in 'Orissa Lift Irrigation Corpn. Ltd. Versus Rabi Shankar Patro' (2018) 1 SCC 468 and settled law on the issue.

Notice of motion.

Ms. Shubhra Singh, Additional Advocate General, Haryana has accepted notice for respondent No. 1 and Mr. Baldev Raj Mahajan, Senior Advocate with Ms. Nikita Goel has put in appearance for respondent No. 2.

Keeping in view the nature of the dispute between the parties as well as prayer made by the petitioner for the purpose of enabling respondent No. 2 to consider the claim of petitioner and then to take appropriate action, if need be and further to avoid unnecessary litigation, the writ petition is disposed of directing respondent No. 2 to consider the representation of the petitioner in accordance with law, rules, regulations and instructions on the subject within a period of two months from the date of receipt of copy of the order and if some action in the matter is warranted then the needful be done in accordance with law. A speaking order in that regard be passed which be conveyed to the petitioner. The petitioner may be granted personal hearing in the matter also. For the purpose of such consideration, the present writ petition along with annexures be taken as representation by the petitioner. If the petitioner feels dissatisfied after passing of the order on his representation then he may approach the Court again in accordance with law.

(H.S. MADAAN)
JUDGE

September 08, 2021

p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No