

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

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**CWP No.7830 of 2021
Decided on : 07.04.2021**

Dr. Mayank Yadav

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr. Sahil Khunger, Advocate
for the petitioner.

(The proceedings have been conducted through video
conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

The petitioner in the present writ petition filed under Articles 226/227 of the Constitution of India seeks directions for issuance of a writ in the nature of mandamus directing the respondents to re-designate him from the post of Assistant Professor to the post of Associate Professor (ENT) w.e.f 17.01.2020 alongwith all consequential benefits.

The petitioner's case is that his employer respondent No.3 has already recommended his case on 06.07.2020 (Annexure P-7) keeping in view the fact that he has been in continuous employment as Assistant Professor from 14.01.2016 till now. The first two years has been on contract basis and thereafter from 06.01.2018 on regular basis, as per the appointment letter dated 01.01.2018 (Annexure P-3).

Counsel has submitted that representation dated 08.01.2021 (Annexuure P-11) as such is pending with respondent No.1 for the said claim. It is further submitted that similarly situated employee Dr. Harnam Singh Madan had also approached this Court in CWP No.30670

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of 2019 wherein directions were issued on 23.10.2019 (Annexure P-8) to consider his claim. A favourable order has been passed on 14.05.2020 (Annexure P-9) in the said case.

Notice of motion.

Mr. RKS Brar, Addl. AG, Haryana, accepts notice on behalf of the respondents.

Keeping in view the fact that a innocuous prayer is made, no useful purpose will be served to call upon the respondents for filing reply, as it only delay the decision making.

Accordingly, the present petition is disposed with the direction to respondents to decide the representation of the petitioner dated 08.01.2021 (Annexuure P-11) within a period of two months from the receipt of the certified copy of this order. The financial benefits, if any, shall be disbursed to the petitioner within a period of two months, thereafter. In case, the relief is to be denied, reasoned order be passed and communicated to the petitioner forthwith.

Disposed of.

April 07, 2021
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No