

CWP No. 9484-2021

Date of Decision: 05.05.2021

Subhash Chander

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Hari Om Sharma, Advocate,
for the petitioner.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

Though, vide this petition, the petitioner is shown to have challenged the orders Annexures P-10 to P-12, (with the orders Annexures P-10 and P-11 being those by which respondents no. 7 and 6 have been promoted respectively, as Boiling House Foremen and Centrifugal Mechanic, as also the order Annexure P-12), learned counsel submits that as a matter of fact it is not Annexure P-12 but Annexure P-14 that the petitioner is challenging, which is a communication from respondent no. 4 to respondent no. 3, rejecting the case of the petitioner for promotion.

He further submits that neither respondent no. 6 nor respondent no. 7 has the requisite experience required for the post, even in terms of what is contained in the said communication Annexure P-14, inasmuch as they do not have 10 years experience as Fitter-I or 06 years experience in the Sugar Mill as Head Fitters in the Boiling House and Centrifugal House, whereas the petitioner possesses such experience.

He next submits that though respondent no. 6 is senior to the petitioner, since he does not fulfill the basic qualification required, he could

not have been promoted over and above the petitioner, with respondent no. 7 in any case being junior to him.

Learned counsel submits that at this stage, the petitioner would be satisfied if a direction is issued to respondent no. 4 to decide the legal notice issued on behalf of the petitioner on 23.03.2021 (copy Annexure P-8) within a specified period.

That being so, without making any comment on the actual merits of the case, the petition is disposed of with a direction to the competent authority amongst respondents no. 1 to 4 to take a decision on the aforesaid legal notice by passing a speaking order within a period of two months from the date of receipt of the certified copy of this order.

May 05, 2021
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Whether speaking/reasoned
Whether Reportable

(AMOL RATTAN SINGH)
JUDGE
Yes
No.