

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-12820-2021

Date of decision: - 15.07.2021

Anand Kumar Mittal

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Dinesh Arora, Advocate,
for the petitioner.

Mr. Sharad Aggarwal, Assistant Advocate General, Haryana.
(keeping in view the advance copy given).

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

Learned counsel for the petitioner argues that petitioner and respondent No.4 were selected in the same selection and in the seniority list framed after the said selection, the petitioner was shown senior to private respondent No.4 in the feeder cadre, but respondent No.4 has been promoted to the post of Assistant Engineer ahead of him, vide letter dated 12.09.2019 (Annexure P-4). Learned counsel for the petitioner further argues that petitioner has been representing the respondent authorities against the said supersession by filing a detailed representation dated 17.02.2020 (Annexure P-7), but the said

representation has been kept pending and has not been decided so far.

Notice of motion.

Mr. Sharad Aggarwal, Assistant Advocate General, Haryana, who has joined the proceedings through video conference, keeping in view the service of advance copy of petition, accepts notice on behalf of respondent-State.

Learned State counsel submits that the promotion of the private respondent No.4 was affected by the government and the petitioner has not filed any representation with the said authorities though he has filed a representation to the Assistant Director, Department of Urban Local Bodies, Haryana. Learned State counsel further submits that in case the petitioner submits a detailed representation to the Government raising the grievance, the same will be decided expeditiously within a period of three months from the date of submission of the same.

Learned counsel for the petitioner submits that the petitioner will file a detailed representation with respondent No.1 raising all the grievances with regard to the promotion of private respondent No.4.

In view of the above, the present writ petition is disposed of with a direction to respondent No.1 that in case the petitioner moves any representation in respect of promotion of private respondent No.4 to the post of Assistant Engineer in supersession of him, the same shall be dealt with in accordance with law and be decided by passing an appropriate speaking order within a period of three months from the receipt of the same.

It is made clear that before deciding the said representation,

an opportunity of hearing to the affected party i.e. respondent No.4 be also afforded.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

July 15, 2021
naresh.k

Whether reasoned/speaking?	Yes
Whether reportable?	No