

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

(119)

CWP-12923-2021

Date of Decision : July 16, 2021

Sumer Singh

.. Petitioner

Versus

BPS Mahila Vishwavidyalaya and others

.. Respondents

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. R.K. Malik, Sr. Advocate, with
Mr. Sandeep Dhull, Advocate, for the petitioner.

Mr. Sharad Aggarwal, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned senior counsel appearing on behalf of the petitioner submits that the petitioner was giving current duty charge of the post of Sub Divisional Engineer in the year 2012 being the senior most eligible Junior Engineer but the regular promotion was not being granted to the petitioner for which, the petitioner had to approach this Court by filing a writ petition being CWP No.10823 of 2018, wherein a direction was given to the respondents to consider the claim of the petitioner for grant of regular promotion on the post of Sub Divisional Engineer.

Learned senior counsel for the petitioner further submits that keeping in view the said direction, the petitioner has already been promoted as Sub Divisional Engineer vide order dated 25.03.2021 (Annexure P-7) but prospectively whereas, the petitioner was entitled for promotion with retrospective effect from the date when the petitioner was discharging the

duties of the said post.

Learned counsel for the petitioner submits that for the relief which has been claimed in the present writ petition, the petitioner has already approached the authorities by serving upon them a legal notice dated 20.06.2021 (Annexure P-8), which is still pending consideration and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to respondent No.1 to decide the said legal notice by passing an appropriate speaking order.

Notice of motion.

Mr. Sharad Aggarwal, learned 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 the respondents and raises no objection for deciding the legal notice of the petitioner in a time bound manner by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the legal notice dated 20.06.2021 (Annexure P-8), the present writ petition is disposed of with a direction to respondent No.1 to decide the said legal notice dated 20.06.2021 (Annexure P-8) within a period of three months from the receipt of copy of this order.

July 16, 2021
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No