

(In virtual Court)

CWP No.11855 of 2020 (O&M)

Date of Decision: 23.09.2021

JAI PAL SINGH

.....Petitioner

Versus

THE HARYANA STATE AGRICULTURAL MARKETING BOARD
AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present: Mr. A.K. Walia, Advocate,
for the petitioner.**RAJBIR SEHRAWAT, J. (ORAL)**

This is a petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the respondents to immediately consider the case of the petitioner for deemed date of promotion to the post of Administrative Officer w.e.f. 01.06.2015 with all consequential benefits as per the petitioner was wrongfully deprived of his right of promotion before his retirement, because the respondents wrongfully promoted one Private Secretary Shakuntla Rani to the post of Administrative Officer, vide order dated 01.06.2013 (Annexure P-14) by ignoring the rightful claim of one Bajinder Singh, Supreintendent, who file CWP No.643 of 2014 challenging the said promotion order dated 01.06.2013 and said CWP was allowed by this Court, vide judgment dated 31.08.2018 (Annexure P-15) and in compliance with the said judgment, Bajinder Singh was granted deemed date of promotion to the post of Administrative Officer w.e.f. 01.06.2013 vide order dated 29.05.2019 (Annexure P-16) and other certain prayers made in the present petition. It is

further prayed that the respondents be directed to consider the case of the petitioner and take the final decision on the legal notice of the petitioner dated 31.05.2019 (Annexure P-18) by passing a well reasoned speaking order within a time bound frame.

At the outset, counsel for the petitioner submits that, at this stage, the petitioner would be satisfied if the respondents take a conscious decision on the legal notice of the petitioner dated 31.05.2019 (Annexure P-18) and pass a speaking order thereon, within a time bound frame.

Notice of motion.

Mr. Padam Kant Dwivedi, Advocate, accepts notice on behalf of the respondents. Even counsel for the respondents is not averse to the expeditious disposal of the claim of the petitioner.

In view of the above, the present petition is disposed of with a direction to the respondents to decide the legal notice of the petitioner dated 31.05.2019 (Annexure P-18) and take a conscious decision thereon by passing a speaking order; within a period of three months from the date of receipt of the certified copy of this order.

It is further ordered that if the petitioner is found entitled to any pecuniary benefits upon such a conscious decision; then the said pecuniary benefits shall also be released to the petitioner within a further period of three months; from the date of such conscious decision of the authorities.

(RAJBIR SEHRAWAT)
JUDGE

23.09.2021
sandeep

Whether Speaking/Reasoned : Yes/No
Whether Reportable : Yes/No