

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

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**CWP No.15575 of 2021
Decided on : 16.08.2021**

Narinder Kumar

... Petitioner

Versus

State of Haryana and others

... Respondents

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

Present: Mr. Amit Khatkar, Advocate
for the petitioner.

(The proceedings are being conducted through video
conferencing, as per instructions.)

G.S. Sandhawalia, J. (Oral)

The petitioner in the present writ petition filed under Article 226/227 of the Constitution of India seeks a decision on the recommendation letter dated 29.05.2020 (Annexure P-10) forwarded by respondent No.4 for promotion to the post of Foreman Instructor.

Counsel has submitted that a representation dated 29.06.2021 (Annexure P-12) has already been moved regarding this aspect with respondent No.3. It is submitted that Jatinder Singh who was placed at Serial No.3 challenged the seniority list, which was subject matter of consideration in CWP-13078-2020 and it is on this account the respondents are not acting upon the said representation.

Notice of motion.

Ms. Kirti Singh, DAG, Haryana accepts notice on behalf of the respondents.

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Keeping in view the limited request, this Court is of the opinion that there is no need to call upon the respondents for filing reply. Even otherwise, the order of the Coordinate Bench dated 28.08.2020 (Annexure P-11) protected the said petitioner to the extent that promotion if any shall be subject to final outcome of the writ petition. It is, thus, clear that the seniority list or the acting on the recommendations had not been stayed in any manner and should not stand in the way of the respondent No.3 to decide the representation of the present petitioner.

Accordingly, without commenting upon the merits of the case or the entitlement of the petitioner, the present writ petition is disposed of with the directions to respondent No.3 to take a decision on the representation of the petitioner dated 29.06.2021 (Annexure P-12) within a period of six weeks from the receipt of certified copy of this order. In case, relief is to be denied, reasoned order be passed and communicated to the petitioner forthwith.

August 16, 2021
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No