

CWP-15925-2021

Date of Decision : 06.12.2021

Nirmal Kumar

...Petitioner

Versus

State of Haryana and others

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. S.K. Hooda, Advocate for the petitioner.

B.S. Walia, J. (Oral)

1. Prayer in the petition under Articles 226 / 227 of the Constitution of India is for the issuance of a writ, order or direction especially in the nature of Mandamus directing the respondents to grant the benefits of ante-dated seniority and promotion to the petitioner w.e.f. 31.01.2008, over and above respondent No.3, who is junior to the petitioner and has been illegally promoted after ignoring the petitioner etc.

2. At the outset, learned counsel states that the petitioner has submitted representation Annexure P/6 dated 31.08.2021, followed by reminder Annexure P/7 dated 07.12.2020 and P/8 dated 04.01.2021, in respect of the grievances which are the subject matter of the instant petition but the same has not been decided and that in the circumstances, the petitioner would be satisfied if the writ petition is disposed of by directing respondent No.2 to consider and decide representation Annexure P/6 dated 31.08.2020, in accordance with law, in a time bound manner.

3. Notice of motion to respondent No.2 only.

4. Mr. Tapan Kumar, DAG, Haryana, accepts notice on behalf of

respondent No.2 and on perusal of the writ petition states that although the claim is hit by delay and laches yet he has no objection to the limited prayer made by learned counsel for the petitioner.

5. In view of the nature of order proposed to be passed, there is no necessity to seek reply in the matter.

6. I have considered the submissions of learned counsel for the parties, perused the paper book and in view of the statement of learned counsel for the parties, but without expressing any opinion on the merits of the case, the writ petition is disposed of by directing respondent No.2 to consider and decide the claim made in representation Annexure P/6 dated 31.08.2020, in accordance with law after taking into account all aspects of the matter, including delay and laches, if any, preferably within four months from the date of receipt of certified copy of this order.

(B.S. Walia)
Judge

06.12.2021
rajesh

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