

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

109+206

CWP-21960-2020 (O&M)

Date of Decision: 09.09.2021

Vidya Bhushan

... Petitioner

VS.

Punjab State Cooperative Supply &
Marketing Fed Ltd. & Anr.

... Respondents

CORAM: HON'BLE MR.JUSTICE GIRISH AGNIHOTRI

Present: Mr. Amit Sharma, Advocate for the petitioner

Mr. Mrigank Sharma, Advocate for respondent No.1

GIRISH AGNIHOTRI, J. (Oral)

The matter has been taken up through video conferencing on account of restrictions due to outbreak of COVID-19 pandemic.

CM-11525-CWP-2021

Allowed as prayed for.

Replication filed by the petitioner along with documents (Annexure P8 & P9) is taken on record subject to just exceptions.

CM stands disposed of.

Main case (O&M)

(1) The petitioner, *inter alia*, seeks a direction to respondent No.1 to consider and promote him for the post of Assistant Accounts Officer from the date his juniors were promoted along with all consequential service and monetary benefits along with interest @ 12% on the arrears from the date of its accrual till its realization.

(2) Record shows that in this case, notice of motion was issued on 19.02.2021.

(3) Respondent No.1 has filed its reply on 28.07.2021. Reply has also been filed by respondent No.2 by way of affidavit of Sarabjeet Kaur,

(4) Learned counsel at this stage, submits that the petitioner is going to retire in March 2022 and has a right of consideration for promotion. He accordingly makes a prayer that the respondents be directed to consider the case of the petitioner for promotion in a time bound manner.

(5) Learned counsel for the respondents submit that they have no objection in case the writ petition is disposed of, as prayed for by counsel for the petitioner.

(6) Accordingly, the writ petition is disposed of with the following directions:-

(i) the petitioner would submit a comprehensive representation taking all the pleas supported by rules/law on the point within 10 days from today.

(ii) respondent No.1 is directed to consider the pleas raised in the representation(s) and pass a speaking order.

(iii) it is directed that the case of the petitioner for promotion be considered and in case the petitioner is found entitled for promotion, necessary consequential orders be passed within one week thereof.

(iv) the exercise of consideration of the petitioner's case for promotion, in accordance with law, be completed within 2 months from today.

(7) With these directions, the writ petition stands disposed of.

09.09.2021
Vvishal

(Girish Agnihotri)
Judge

1. Whether speaking/reasoned?
2. Whether reportable?

Yes/No
Yes/No