

(In virtual Court)

CWP No. 202 of 2021 (O&M)

Date of Decision: 27.08.2021

Bankey Bihari Lal

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWATPresent: Ms. Dhivya Jerath, Advocate,
for the petitioner.**RAJBIR SEHRAWAT, J. (ORAL)**

This is a petition filed under Articles 226/227 of the Constitution of India seeking issuance of a writ of mandamus directing the official respondents to accept the claim of the petitioner for promotion by releasing his deem date promotion order to fix his notional or actual pay at par with his junior Shri Kapoor Singh and for the grant of all consequential benefits thereof with interest on the delayed payments. It is further prayed that the respondents be directed to consider the case of the petitioner and take the final decision on the representation of the petitioner dated 25.02.2019 (Annexure P-13) 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 representation of the petitioner dated 25.02.2019 (Annexure P-13) and pass a speaking order thereon, within a time bound frame.

Notice of motion.

Mr. Rajesh Gaur, Addl. Advocate General, Haryana 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 respondent No.4 to decide the representation of the petitioner dated 25.02.2019 (Annexure P-13) 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

27.08.2021
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Whether Speaking/Reasoned : Yes/No

Whether Reportable : Yes/No