

[138] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-25340-2021

Date of Decision :14.12.2021

Suresh Kumar

...Petitioner

Versus

State of Haryana and another

....Respondents

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

Present : Mr. Virender Kumar, Advocate for the petitioner.

B.S. Walia, J. (VC)

[1] Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

[2] 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 certiorari for quashing the action of the respondents-Corporation in calling for a Sub-Divisional Engineer on deputation from another department to fill-up one vacant post of Sub Divisional Engineer (Civil) despite availability of the petitioner who is fully qualified and eligible for promotion to the post of Sub-Divisional Engineer (Civil).

[3] Learned counsel while relying upon orders, Annexures P/8 and P/11 dated 05.02.2004 and 16.08.2016 as well as Annexure P/12 dated 05.07.2019 contends that in view of representation having been submitted by the petitioner but the same not having been taken to its logical end, the petitioner would be satisfied if the writ petition be disposed of by directing the competent authority to decide the representations i.e.

Annexures P/9 and P/10 dated 17.08.2021 and 15.11.2021 in accordance with the decisions as referred to above in a time bound manner.

[4] Notice of motion.

[5] Mr. Padam Kant Dwivedi, Advocate puts in appearance and accepts notice on behalf of the respondents and on perusal of the writ petition states that he has no objection to the limited prayer made by learned counsel for the petitioner.

[6] I have considered the submissions of learned counsel for the parties, gone over the paper-book and in view of the nature of order proposed to be passed, there is no necessity to seek reply in the matter. Accordingly, in the light of the position noted above and in view of the statement of learned counsel for the parties but without commenting upon the merits of the case, the writ petition is *disposed of* by directing respondent No. 2 to consider and decide the representations i.e. Annexures P/9 and P/10 dated 17.08.2021 and 15.11.2021 in accordance with law after taking into account all aspects of the matter within 01 month from the date of receipt of certified copy of this order.

(B.S. Walia)
Judge

14.12.2021

'Amit'

<i>Whether speaking/reasoned</i>	:	<i>Yes/No.</i>
<i>Whether reportable</i>	:	<i>Yes/No.</i>