

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

133

=====

IN VIRTUAL COURT

=====

**CWP No. 2538 of 2022
Date of decision : 10.2.2022**

Rajesh Kumar

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. J.S. Maanipur, Advocate, for the petitioner

Rajbir Sehrawat, J. (Oral)

This petition has been filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus, directing the respondents to consider and promote the petitioner to the post of Assistant Draftsman (Civil) and further, as Divisional Head Draftsman (Civil) with all consequential benefits, from the date when his junior Shalender Bhatia was promoted vide Office Order No. 127525/E-II dated 31.8.2020 (Annexure P-4), particularly when he was regularized from 31.3.1993, Office Order No.109 dated 14.6.2018 (Annexure P-1), whereas his junior joined on 16.6.2002. It is also prayed that directions be issued to the respondents to grant him the revised retiral benefits along with interest on the basis of promotions. In the alternative, it is prayed that the respondents be directed to decide the legal notice dated 16.9.2021 (Annexure P-5) within a time bound manner.

Notice of motion.

Mr. Harish Rathee, DAG, Haryana accepts notice on behalf of

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.2 to decide the legal notice issued by the petitioner dated 16.9.2021 (Annexure P-5) and take a conscious decision thereon by passing a speaking order; within a period of 3 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 3 months; from the date of such conscious decision of the authorities.

(RAJBIR SEHRAWAT)
JUDGE

10.2.2022

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No