

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

110

CWP-2571-2022

Date of Decision :20.07.2022

Rajender Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Harish Bhardwaj, Advocate for
Mr. Sanchit Punia, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that the petitioner was not given appointment as per his merit as he was more meritorious than one Ramesh Kumar, who was given appointment by respondents vide order dated 20.02.2019 (Annexure P/2), whereas the petitioner was given appointment on 06.08.2020. Learned counsel for the petitioner submits that as per the Rules governing the service, the seniority is to be maintained on the basis of merit secured by a candidate in a competitive examination hence, keeping in view the said rule, the petitioner is entitled for the grant of notional appointment with effect from the date, the person junior to the petitioner in the merit, was appointed alongwith other consequential benefits such as seniority etc.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance before the respondents by way of

serving a legal notice dated 25.05.2022 (Annexure P/4) upon them, which is still pending consideration with the respondents and the petitioner will be satisfied in case a time bound direction is issued to the respondent No.2 to decide the said legal notice.

Notice of motion.

Mr. Harish Nain, AAG, Haryana, who is present in the Court, accepts notice on behalf of respondent-State and raises no objection in deciding the legal notice dated 25.05.2022 (Annexure P/4) in a time bound manner by passing an appropriate speaking order.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner in his legal notice, respondent No.2 is directed to decide the legal notice dated 25.05.2022 (Annexure P/4) by passing a speaking order within a period of eight weeks from the date of receipt of copy of this order.

Present writ petition stands disposed of.

July 20, 2022

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No