

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

111

CWP-4567-2022

Date of Decision :09.03.2022

Usha Jhatta

..Petitioner

Versus

State of Punjab and others

...Respondents

(Through Video Conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. H.C. Arora, Advocate and
Ms. Sunaina, Advocate for the petitioner.

Mr. Navdeep Chhabra, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner argues that before the petitioner has attained the age of superannuation on 31.01.2020, the case of the petitioner was taken up for consideration for promotion to the post of Librarian and a resolution was passed by the Municipal Corporation, Patitala on 08.01.2020, wherein, the petitioner was found eligible and suitable for promotion to the said post but, no order was passed by the respondent-department till the petitioner attained the age of superannuation and the said benefit is not being extended on the ground that petitioner was on extension of service, which is totally arbitrary and illegal hence, the petitioner is entitled for the grant of promotion, keeping in view the

recommendations made by the Municipal Corporation, Patiala i.e.

appointing authority of the petitioner dated 08.01.2020.

Learned counsel for the petitioner submits that despite the fact that the State Government in its letter dated 18.02.2021 (Annexure P/5) has already allowed the Municipal Corporation, Patiala to take appropriate action being appointing authority but, still the matter is being kept pending by the Municipal Corporation, Patiala by initiating unnecessary correspondence with the State Government.

Learned counsel for the petitioner submits that as the matter is still pending consideration with the Municipal Corporation, Patiala, a direction be issued to the Municipal Corporation, Patiala to decide the claim of the petitioner by taking into consideration all the circumstances including letter dated 18.02.2021 (Annexure P/5) in a time bound manner by passing an appropriate speaking order.

Notice of motion.

Mr. Navdeep Chhabra, DAG, Punjab, who has joined the proceedings through video conference accepts notice on behalf of respondent-State and states that in case, no order is already passed by the Municipal Corporation, Patiala on the plea of the petitioner seeking promotion to the post of Librarian by taking into consideration all the circumstances including letter dated 18.02.2021 (Annexure P/5), an appropriate order on the same will be passed by the respondents within a period of 08 weeks from today.

Learned counsel for the petitioner submits that keeping in view the statement made by the learned State counsel, no further grievance of the petitioner survives in the present petition and the same may be disposed of having been not pressed any further.

The present writ petition stands disposed of having been not pressed, keeping in view the statement made by learned State counsel.

March 09, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No