

109.

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

CWP-4886-2022

Date of Decision: 17.05.2022

SURESH KUMAR

.... Petitioner

Versus

STATE OF HARYANA AND ANOTHER

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Deepak Singh Saini, Advocate,
for the petitioner.

JAISHREE THAKUR.J (Oral)

This is a petition that has been filed under Articles 226/227 of the Constitution of India for issuance of a writ, order or direction especially in the nature of mandamus directing respondent No.2 to decide the appeal dated 21.07.2016 filed by the petitioner against the order passed by the Inspector General of Police as per the decision rendered by this Court in CWP No.8958 of 2013, decided on 12.09.2017 and CWP No.6154 of 2007, decided on 13.02.2020.

Counsel appearing on behalf of the petitioner would submit that the petitioner, who was enrolled as Constable in the year 1991, is seeking promotion to the higher post. He submitted a representation to the Inspector General of Police, Rohtak Range, Rohtak, which representation was dismissed. Thereafter, he filed an appeal before the Director General of

Police, Haryana i.e. respondent No.2, on 21.07.2016, which has not been decided till date. He sent a representation as well vide Annexure P/2 dated 02.09.2020 to respondent No.2 for giving him personal hearing through proper channel. However, when no decision was conveyed to the petitioner, he served a legal notice dated 24.07.2021 (Annexure P-3) whereby he has requested to consider his case as per the decisions rendered by this Court in CWP No.8958 of 2013, decided on 12.09.2017 and CWP No.6154 of 2007, decided on 13.02.2020, but till date no decision has been taken thereon.

Counsel appearing on behalf of the petitioner would submit that the petitioner would be satisfied in case his legal notice (Annexure P-3) is decided in a time bound manner.

Notice of motion.

At this stage, Ms. Kirti Singh, DAG, Haryana, who is present in Court, accepts notice on behalf of the respondents and submits that the respondents will look into the matter and will take a decision on the legal notice of the petitioner.

Let sufficient number of copies of the complete paper book be supplied to her during the course of day.

Without commenting on merits of the case, the present petition is disposed of with a direction to the respondents to decide legal notice dated 24.07.2021 (Annexure P-3) keeping in view the judgments passed in CWP No.8958 of 2013, decided on 12.09.2017 and CWP No.6154 of 2007, decided on 13.02.2020, within a period of three months from the date of

receipt of the certified copy of this order, in accordance with law, and convey the decision to the petitioner. In case of failure to do so, the officer responsible for the lapse would be liable to costs of Rs.20,000/- from his personal pocket, to be deposited with the Punjab and Haryana High Court Advocates Welfare Fund.

17.05.2022

sanjeev

**(JAISHREE THAKUR)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No