

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

103

CWP-6364-2020

Date of Decision :28.07.2022

Jai Bhagwan Singh and others

...Petitioners

Versus

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ram Pal Verma, Advocate for the petitioners.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioners argues that the petitioners competed for appointment to the post of Clerk but, they were not given appointment by the respondents though, the candidates lower in rank from them, were appointed by the respondents. Learned counsel for the petitioners submits that the petitioners were appointed in the year 1992, whereas, the candidates lower in rank were appointed in April, 1990. Learned counsel for the petitioners further submits that the similarly situated employees, who had the similar grievance, have been granted the benefit by the respondents vide order dated 13.03.2016 (Annexure P/2), which is being claimed by the petitioners. Learned counsel for the petitioner argues that the employees namely, Shamsher Singh and Azad Singh, who are lower in rank than the petitioners, have also been granted the benefit of w.e.f. 12.04.1990 hence, once the benefit has been extended to the similarly situated employees, the same should have been extended to the petitioners

also without forcing them to approach this Court. Prayer of the petitioners is for issuance of a direction to the respondents to grant him the benefit of seniority from the date, the employees lower in rank from them, were given the same.

Learned counsel for the petitioners submits that the petitioners have already raised the said grievance before the respondents by way of submitting a representation dated 23.11.2019 (Annexure P/5), which is still pending consideration with the respondents and the petitioners will be satisfied in case a time bound direction is issued to the respondent No.2 to decide the said representation.

Notice of motion.

Mr. Kiran Pal Singh, AAG, Haryana, who is present in the Court, accepts notice on behalf of respondent-State and raises no objection in deciding the representation dated 23.11.2019 (Annexure P/5) 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 petitioners in their representation, respondent No.2 is directed to decide the representation dated 23.11.2019 (Annexure P/5) 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 28, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

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