

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

133

CWP-5759-2022

Date of decision : 22.03.2022

RAJINDER KUMAR SHARMA

..... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. Karan Singla, Advocate
for the petitioner.

Harsimran Singh Sethi, J. (Oral)

Learned counsel for the petitioner submits that in the present case Balbir Singh, who belonged to the reserved category was promoted in preference to the petitioner and after the petitioner was promoted to the higher cadre, keeping in view the judgment of the Hon'ble Supreme Court of India in **Ajit Singh Janjua vs State of Punjab in the Appeal (Civil) 3792 of 1989 dated 16.09.1999**, the petitioner is to be declared senior to the reserved category candidate who has been granted promotion on the basis of reservation. Learned counsel submits that the claim of the petitioner for the grant of step up equivalent to the juniors is covered by the judgement in **Ajit Singh Janjua (supra)**, and therefore, the petitioner is entitled for the step up of emoluments equivalent to his juniors along with all the consequential benefits.

Learned counsel submits that vide order dated 12.08.2021 (Annexure P-10), the petitioner has been declared senior to Balbir Singh with the further direction that appropriate action be taken but, despite

the fact that six months have passed, no benefit has been given to the petitioner thereafter.

Notice of motion.

Mr. Navdeep Chhabra, DAG, Punjab, accepts notice on behalf of respondents-State and submits that in case, no consequential benefit of the order dated 12.08.2021 (Annexure P-10) has been extended to the petitioner, the case of the petitioner will be processed for the grant of the benefits, if any, in favour of the petitioner and final order will be passed within a period of eight weeks from the receipt of the copy of this order and in case, after the passing of the order, any benefit is to be given to the petitioner, the same will also be extended in the next four weeks.

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

Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

22.03.2022

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Whether speaking/reasoned
Whether Reportable :

Yes
No