

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

(129)

CWP-7762-2022

Date of Decision : April 18, 2022

Tarsem Singh

.. Petitioner

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sunny Singla, Advocate, for the petitioner.

**HARSIMRAN SINGH SETHI J. (ORAL)**

Learned counsel for the petitioner argues that in the present case, the respondents convened a Departmental Promotion Committee meeting on 15.05.2020 and considered the case of junior employees for promotion to the post of District Development and Panchayat Officer and the case of the petitioner was not considered keeping in view the fact that at the said relevant time, the petitioner was facing a charge sheet issued upon him dated 17.07.2018. Learned counsel for the petitioner submits that the juniors of the petitioner were promoted to the higher rank while petitioner was in service and ultimately, the charge sheet, which was pending against the petitioner, was decided in his favour but the petitioner was never promoted to the post of District Development and Panchayat Officer prior to the date the petitioner attained the age of superannuation on 30.11.2020.

Learned counsel for the petitioner further submits that once the petitioner was exonerated in the disciplinary proceedings and the juniors to him were promoted while the petitioner was in service, the petitioner is entitled for promotion as District Development and Panchayat Officer w.e.f the date

person juniors to him were promoted with all consequential benefits.

Learned counsel for the petitioner further submits that the grievance raised in the present petition has already been raised in legal notice dated 10.01.2022 (Annexure P-8) which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage in case a time bound direction is issued to respondent No.1 to decide the said legal notice by passing an appropriate speaking order.

Notice of motion.

Mr. Navdeep Chhabra, learned Deputy Advocate General, Punjab, who is present in the Court, accepts notice on behalf of the respondents.

Learned counsel for the respondents raises no objection in deciding the legal notice dated 10.01.2022 (Annexure P-8) in a time bound manner by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the legal notice dated 10.01.2022 (Annexure P-8), the present writ petition is disposed of with a direction to respondent No.1 to decide the legal notice dated 10.01.2022 (Annexure P-8) within a period of eight weeks from the receipt of copy of this order.

In case, it is found that the petitioner is entitled for any relief after the decision of the legal notice, the same should also be released to the petitioner within four weeks thereafter.

**April 18, 2022**  
*harsha*

**(HARSIMRAN SINGH SETHI)**  
**JUDGE**

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