

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

**CWP No. 8724 of 2022
Date of decision: 29.04.2022**

Ankur

..... Petitioner.

Versus

State of Haryana and others

..... Respondents.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. R.K. Doon, Advocate, for the petitioner.

Mr. Anant Kataria, DAG, Haryana, for the respondents.

ANUPINDER SINGH GREWAL, J. (ORAL)

Learned counsel for the petitioner *inter alia* contends that the petitioner, who was working as a Junior Engineer (Civil), had acquired the degree in Engineering. Thereafter, he was promoted to the post of Assistant/Municipal Engineer, as an essential qualification for promotion to the post of Assistant/Municipal Engineer is a degree in Civil Engineering or 10 years' experience as Junior Engineer (Civil). The petitioner was fully eligible for promotion to the post of Assistant/Municipal Engineer, as he had done M. Tech. (Annexure P4) from Guru Jambheshwar University of Science and Technology, Hisar and, therefore, he was promoted as per his seniority without any relaxation in experience. He also contends that the impugned show cause notice dated 25.02.2022 (Annexure P5) has erroneously been sent to the petitioner, as it mentions that the petitioner had been promoted ahead of his seniors and by granting him relaxation while no relaxation had been granted to the petitioner.

Issue notice to the respondents.

At the asking of the Court, Mr. Anant Kataria, DAG, Haryana, accepts notice on behalf of the respondents. He, upon instructions from Mr. Ajay Bhardwaj, Assistant of the office of Urban Local Bodies Department, Haryana, submits that only a show cause notice has been issued to the petitioner. The petitioner may submit his reply and after consideration of the same, necessary orders would be passed.

Heard.

After hearing learned counsel for the parties, I am of the considered view that the petition is premature. The petitioner has only been issued a show cause notice. He has yet to submit his reply. Therefore, it would be just and expedient in case the petition is disposed of with a direction to the petitioner to submit his reply to the show cause notice within a period of one week from now and respondent No. 1, after affording him an opportunity of hearing, shall pass a speaking order within a period of one month thereafter.

Consequently, the petition is disposed of in the above terms.

(ANUPINDER SINGH GREWAL)
JUDGE

29.04.2022
Ramesh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No