

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

CWP No.9467 of 2022

Date of Decision : 06.05.2022

Harsh Vardhan Singla and another

.. Petitioners

Versus

State of Punjab and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rajeev Kawatra, Advocate
for the petitioners.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioners argues that in the present petition, the grievance of the petitioners is that the petitioners, who belong to General category, were superseded by a reserved category candidate namely, Gurpreet Singh, while granting promotion to the post of Sub-Divisional Engineer and the petitioners on their promotion on the said post, had caught them in the said cadre hence keeping in view the settled principle of law settled by Hon'ble the Supreme Court of India in '*Ajit Singh Januja vs. State of Punjab*' Appeal (Civil) No.3792 of 1989, decided on 16.09.1999, the petitioners are to be declared senior to the said Gurpreet Singh, so as to grant the petitioners the benefits of pay scale which the said Gurpreet Singh was drawing in the higher cadre. Learned counsel further submits that even as per the instructions issued by the Government of Punjab (Annexure P-4), the petitioners are entitled for stepping up their pay equivalent to that of Gurpreet Singh.

Learned counsel further submits that the grievance of the petitioners as raised in the present petition, has already been raised in their legal notice dated 07.02.2022 (Annexure P-5), which is still pending consideration with the respondents and the petitioners will be satisfied, at this stage, in case a time bound direction is given to respondent No.1 to decide the same by passing an appropriate speaking order.

Notice of motion.

Ms. Anju Sharma Kaushik, DAG, Punjab, accepts notice on behalf of the respondents and raises no objection in deciding the legal notice dated 07.02.2022 (Annexure P-5) in a time bound manner by passing an appropriate speaking order.

Without commenting upon the merits of the case or opining anything on the claim being made by the petitioners in the present petition and raised in the legal notice dated 07.02.2022 (Annexure P-5), respondent No.1 is directed to decide the legal notice dated 07.02.2022 (Annexure P-5) by passing a speaking order within a period of 8 weeks from the date of receipt of copy of this order.

Present writ petition stands disposed of

May 06, 2022

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(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No