

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

CWP-9484-2022

Date of Decision:06.05.2022

YOGESH KUMAR

...Petitioner

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Aman Dhir, Advocate
 for the petitioner.

Mr. Pankaj Middha, Addl. A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of mandamus directing the respondents to consider and grant him promotion to the post of District Employment Officer with effect from the date i.e. 21.08.2014, when his juniors were promoted along with all consequential benefits with interest @ 18% per annum.

2. Petitioner joined the respondent-department on 25.01.2011 on the post of Assistant Employment Officer. Grievance of the petitioner is that vide order dated 21.08.2014, his juniors were promoted and his claim was rejected on the ground of his ACR being below average. On coming to know, the petitioner filed a reply and resultantly, the corrections were made in the ACR and the report 'below average' was corrected as 'good.' Thereafter, the petitioner submitted a representation dated 07.04.2022 (Annexure P-11) to Additional Chief Secretary, Haryana Government, Employment Department for considering his case for promotion as no disciplinary proceedings are pending against him but the same has not been adverted till date. Hence the petition.

3. On advance service, learned state counsel appears and submits that a decision will be taken by competent authority, either way, on the

pending representation dated 07.04.2022 (Annexure P-11) by passing a speaking order.

4. At this stage, learned counsel for the petitioner also seeks decision on the pending representation as suggested by learned State counsel.

5. Given the nature of order being passed, there is no necessity to seek return by any of the respondents as no further proceedings and/or pleadings are required.

6. Without commenting on the merits of the case, the instant writ petition is disposed of with a direction to the respondents to look into the representation dated 07.04.2022 (Annexure P-11) of the petitioner and pass an administrative order, in accordance with law.

7. Let the needful be done as expeditiously as possible.

8. The petitioner shall be at liberty to place any additional material on record before the competent authority at the time of representation being decided.

9. Disposed of accordingly.

(ARUN MONGA)
JUDGE

06.05.2022

gurpreet

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No