

119.

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

CWP-10040-2022

Date of Decision: 12.05.2022

RAM NIWAS

.... Petitioner

Versus

STATE OF HARYANA AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Aditya Yadav, Advocate,
for the petitioner.

JAISHREE THAKUR.J (Oral)

This is a petition that has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the action of the respondent department vide which juniors to the petitioner have been promoted as regular ASI vide order dated 31.12.2021 (Annexure P-7). Petitioner has also sought quashing of Reviewed Seniority Order dated 02.09.2011 (Annexure P-4) passed by respondent No.4 vide which he has been shifted from Lower School Course, batch No.53 to 55, without any notice.

Counsel appearing on behalf of the petitioner would submit that for the aforesaid grievance, the petitioner has approached many times to the respondent department to promote him as Assistant Sub Inspector at par with his juniors, but the respondent-department did not pay any heed to his request. The petitioner has even sent a Justice Demand Notice through his counsel on 21.02.2022 (Annexure P-9), but till date no action has been taken

thereon. He would further submit that the petitioner would be satisfied in case the said Justice Demand Notice (Annexure P-9) is decided in a time bound manner.

Notice of motion.

At this stage, Ms. Kirti Singh, DAG, Haryana, who is present in Court, accepts notice on behalf of the respondents and submits that the respondents will look into the matter and will take a decision on the Justice Demand Notice of the petitioner.

Let sufficient number of copies of the complete paper book be supplied to her during the course of day.

Without commenting on merits of the case, the present petition is disposed of with a direction to the respondents to decide the Justice Demand Notice, dated 21.02.2022 (Annexure P-9) of the petitioner, within a period of three months from the date of receipt of the certified copy of this order, in accordance with law, and convey the decision to the petitioner. In case of failure to do so, the officer responsible for the lapse would be liable to pay costs of Rs.20,000/- from his personal pocket, to be deposited with the Punjab and Haryana High Court Advocates Welfare Fund.

12.05.2022

sanjeev

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No