

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

CWP-11778-2022

Date of Decision: 27.05.2022

Neeraj Bala

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Amrik Singh, Advocate,
for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that in the present case, the petitioner was working as a Staff Nurse on deputation with the Canal Hospital, BBMB, Nangal and her parent Department effected promotions of her juniors without considering her claim, which action of the respondent-Department is totally arbitrary and illegal.

Learned counsel for the petitioner submits that while working on deputation with the BBMB, Nangal, the petitioner never knew that her juniors have been promoted to the post of Nursing Sister by her parent Department and that too without considering her claim or granting proforma promotion to her.

Learned counsel for the petitioner argues that once an employee junior to the petitioner has already been extended the benefit of promotion to a higher post, the said benefit has to be extended to the petitioner as well, being senior to the said employee.

Learned counsel for the petitioner further submits that the same

grievance has also been raised by the petitioner before respondents No.1 and 2 by serving legal notice dated 12.04.2022 (Annexure P-7), which is still pending consideration with the authorities concerned and the petitioner will be satisfied at this stage, in case a time bound direction is given to respondent No.2 to decide the said legal notice dated 12.04.2022, by passing an appropriate speaking order.

Notice of motion.

On the asking of the Court, Mr. Navdeep Chhabra, DAG, Punjab, accepts notice on behalf of the State and raises no objection, in case prayer made hereinbefore on behalf of the petitioner for deciding the legal notice dated 12.04.2022 (Annexure P-7) in a time bound manner is accepted.

Keeping in view the facts and circumstances of this case and without going into merits of the claim as raised by the petitioner in the present case as well as in the legal notice dated 12.04.2022 (Annexure P-7), this petition is disposed of with a direction to the respondent No.2 to pass an appropriate speaking order on the legal notice dated 12.04.2022 (Annexure P-7), filed by the petitioner, within a period of eight weeks from the date of receipt of the copy of this order.

27.05.2022*Apurva***(HARSIMRAN SINGH SETHI)
JUDGE**

1. Whether speaking/reasoned : Yes

2. Whether reportable : No