

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

230

CWP-12211-2020

DATE OF DECISION: 18.07.2022

SANT RAM SINDHU

... Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Sandeep Thakan, Advocate for the petitioner.

Mr. Sharad Aggarwal, AAG, Haryana.

Ms. Prabhjeet Kaur, Advocate for

Mr. Ashish Yadav, Advocate for respondents No.2 to 4.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has challenged the order dated 04.11.2019 (Annexure P-9) whereby the case of the petitioner for promotion has been rejected.

Learned counsel for the petitioner submits that the case of the petitioner for promotion to the post of Sub Station Attendant had been recommended by Superintending Engineer, TS Circle by the order dated 25.03.2019 (Annexure P-12) but the same had been rejected by the order dated 04.11.2019 by a non-speaking order.

A bare perusal of the impugned order indicates that the same has been passed in a cryptic manner. The order is reproduced hereunder:-

“In this connection it is intimated that your request dated 17.06.2019, for Deemed date of promotion to the post of ASSA & SSA has been considered by the Competent Authority and not found feasible for acceptance.”

It is, thus, patent that the impugned order is a cryptic and non-speaking and, therefore, deserves to be set aside. It was enjoined on the competent authority to have considered the case of the petitioner by passing a speaking order.

Consequently, the impugned order dated 04.11.2019 (Annexure P-9) is set aside.

The respondents would be at liberty to pass a fresh order after considering the case of the petitioner and affording an opportunity of hearing within a period of four months from the date of receipt of certified copy of this order.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

18.07.2022

SwarnjitS

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No