

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

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**CWP-15145-2022
Date of decision : 18.07.2022**

SATYAVIR SINGH

..... Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

..... Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. Parth Goyal, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (Oral)

Learned counsel for the petitioner argues that respondent No.4 who was junior to the petitioner, was granted promotion to the post of Lecturer/ PGT Math w.e.f 17.09.1997, which benefit was not extended to the petitioner and therefore, prays to be promoted from the date person junior to him was promoted, along with all consequential benefits along with arrears and interest as the respondents despite the fact that the petitioner was fully eligible for the grant of benefit did not grant him the same. Learned counsel submits that the factum of the promotion of respondent No.4 was not to the knowledge of the petitioner and immediately, when the said fact came to the knowledge of the petitioner, the petitioner approached the respondents to grant the said benefit to the petitioner w.e.f. the date person junior to the petitioner was promoted.

Learned counsel argues that once a junior of the petitioner has been granted promotion, the same cannot be denied to the senior without any

valid justification. Hence, the respondents are under obligation to grant the petitioner promotion to the post of Lecturer/ PGT Math w.e.f. 17.09.1997.

Learned counsel for the petitioner further argues that the claim as being raised in the present petition has already been raised by the petitioner with the respondents vide legal notice dated 31.03.2022 (Annexure P-10) and the petitioner will be satisfied, at this stage, in case a direction is issued to respondents to decide the said representation in a time bound manner by passing an appropriate speaking order.

Notice of motion.

Mr. Harish Nain, AAG, Haryana, accepts notice on behalf of respondents-State and raises no objection in deciding the legal notice dated 31.03.2022 (Annexure P-10) in a time bound manner by passing an appropriate speaking order.

In view of the request made, without expressing any opinion on the merits of the case or the claim being made by the petitioner on 31.03.2022 (Annexure P-10), respondent No.2 is directed to decide the legal notice dated 31.03.2022 (Annexure P-10) by passing a speaking order within a period of eight weeks from the receipt of copy of this order.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

18.07.2022

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Whether speaking/reasoned
Whether Reportable :

Yes
No