

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

**CWP-16267-2022
Date of Decision 28.07.2022**

RAM NIWAS

.....Petitioner

Vs

STATE OF HARYANA AND OTHERS

.....Respondents

CORAM HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present Mr. Satbir Gill, Advocate for the petitioner.

Mr. Kiran Pal Singh, AAG, Haryana.

HARSIMRAN SINGH SETHI, J.(Oral)

Learned counsel for the petitioner argue that the petitioner has been granted the promotion to the post of Elementary School Head Master on 24.08.2019, whereas, the petitioner is entitled for the said promotion from the retrospective effect i.e. 10.02.2014.

Learned counsel for the petitioner further submits that the respondents have promoted ineligible persons in the year 2014, ignoring the name of the petitioner who was fully entitled. Hence, once the petitioner is to be promoted, keeping in view the direction given by this Court in CWP No. 4301-2013 decided on 22.12.2015, the petitioner has to be given promotion from the date ineligible candidates were promoted i.e. 10.02.2014.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance before the respondents by way of serving a legal notice dated 12.10.2021 (Annexure P-8) upon them, which is still pending consideration with the respondents and the petitioner will be

satisfied at this stage in case a time bound direction is issued to the respondents to decide the said legal notice.

Notice of motion.

On the asking of the Court, Mr. Kiran Pal Singh, AAG, Haryana, accepts notice on behalf of all the respondents who is present in Court, accepts notice on behalf of the respondent-State and raises no objection in deciding the representation dated 12.10.2021 (Annexure P/8) in a time bound manner by passing an appropriate speaking order.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the representation, respondents are directed to decide the representation dated 12.10.2021 (Annexure P/8), by passing a speaking order within a period of eight weeks from the receipt of copy of this order. In case, after the decision of the claim of the petitioner, it is found that the petitioner is entitled for the monetary benefits, the same should also be paid to the petitioner within a period of four weeks thereafter.

Present writ petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

July 28, 2022
monika

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No