

118.

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

CWP-15588-2022

Date of Decision: 05.12.2022

GURDEEP SINGH

.... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Nitish Singla, Advocate,
for the petitioner.

JAISHREE THAKUR.J (Oral)

The instant writ petition has been filed under Articles 226/227 of the Constitution of India seeking an appropriate writ, order or direction especially in the nature of Mandamus directing the respondents to promote the petitioner as Accountant Grade-II, Accountant Grade-I and Executive Officer Class-III notionally from the date his junior/respondent No.3 has been promoted retrospectively from the dates the petitioner was in service, in view of orders dated 19.12.2017 (Annexure P-10) and 21.03.2018 (Annexure P-11) vide which similar situated employees had been promoted, along with all consequential benefits i.e. fixation of pay/pension, ACP, arrears etc., alongwith interest @ 12% per annum.

Counsel appearing on behalf of the petitioner would contend that in this regard, the petitioner has already served a legal notice/representation dated 04.04.2022, Annexure P-13, upon the respondents, but till date, no decision has been taken thereon. Counsel would submit that at

this stage, the petitioner would be satisfied in case his representation/legal notice is decided in a time bound manner, in accordance with law.

Notice of motion.

On the asking of the Court, Ms. Deepali Puri, Additional Advocate General, Punjab, accepts notice on behalf of the respondents.

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

Without commenting on merits of the case and keeping in view the limited prayer made by counsel for the petitioner, the present petition is disposed of with a direction to the respondents to decide legal notice/representation dated 04.04.2022, Annexure P-13 of the petitioner within a period of two months from the date of receipt of 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 costs of Rs.20,000/- from his personal pocket, to be deposited with the Punjab and Haryana High Court Advocates Welfare Fund.

(JAISHREE THAKUR)
JUDGE

05.12.2022

sanjeev

Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No