

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(105)

CM No. 12037-CWP-2022 in/and
CWP No. 19385 of 2021 (O&M)
Date of Decision : 31.08.2022

Mohan Lal Bansal

....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. B.K. Bagri, Advocate for the petitioner.

Harsimran Singh Sethi, J. (Oral)

CM No. 12037-CWP-2022

Application is allowed, as prayed for.

CM No. 12040-CWP-2022

Application is allowed, as prayed for.

CWP No. 19385 of 2021

Learned counsel for the petitioner argues that petitioner keeping in view the seniority, was entitled for promotion as on 31.12.2014 when the junior to the petitioner was promoted, especially when, the petitioner was already discharging the duties of Principal on current duty charge w.e.f. 22.04.2012. Learned counsel for the petitioner submits that no reason was given as to why the petitioner was not granted the promotion when the junior was promoted and the grievance raised by the petitioner qua the said non-promotion, has never been replied to by the respondents at any given point of time while the petitioner was in service or thereafter.

Learned counsel for the petitioner submits that once the petitioner was discharging the duties of the post of Principal on current duty charge, when the junior was promoted on 31.12.2014, there was no justification to deny the regular promotion to the petitioner. Learned counsel for the petitioner submits that petitioner has already raised the said grievance in the legal notice dated 15.10.2019 (Annexure P-10), which is still pending consideration with the respondents and petitioner will be satisfied, at this stage, in case a direction is issued to respondent No. 2 to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and raises no objection in deciding the legal notice dated 15.10.2019 (Annexure P-10) 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 legal notice, respondent No. 2 is directed to decide the legal notice dated 15.10.2019 (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.

August 31, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? [√] *Yes/No*
Whether reportable? [√] *Yes/No*