

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(117) CM-14298-CWP-2022 in/and
CWP No. 20818 of 2022
Date of Decision : 13.09.2022

Balbir Singh Malik and others

....Petitioners

Versus

State of Haryana and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. S.K. Malik, Advocate for the petitioners.

Harsimran Singh Sethi, J. (Oral)

CM-14298-CWP-2022

Application is allowed, as prayed for.

CWP No. 20818 of 2022

Learned counsel for the petitioner argues that petitioners had worked on the post of Sub Divisional Engineer on current duty charge, benefit of which service has never been given to the petitioners and even the claim of the petitioners for regular promotion has not been considered by the respondents prior to his retirement, which is causing prejudice to them.

Learned counsel further argues that not only the pay of Sub Divisional Engineer but even the regular promotion should have been extended to the petitioners prior to his retirement once, the posts were lying vacant and the petitioners already discharged their duties on current duty

charge against those posts.

Learned counsel for the petitioners submits that petitioners have already raised the said grievance in the legal notice dated 16.11.2018 (Annexure P-3), which is still pending consideration with the respondents and petitioners will be satisfied, at this stage, in case a direction is issued to the respondents 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 16.11.2018 (Annexure P-3) 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 petitioners in the legal notice, respondent No. 2 is directed to decide the legal notice dated 16.11.2018 (Annexure P-3), 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.

September 13, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

<i>Whether reasoned/speaking?</i>	√ <i>Yes/No</i>
<i>Whether reportable?</i>	√ <i>Yes/No</i>