

116.

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

CWP-22443-2022

Date of Decision: 28.09.2022

ASHOK KUMAR AND ORS.

.... Petitioners

Versus

STATE OF HARYANA AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. G.S. Gopera, Advocate,
for the petitioners.

JAISHREE THAKUR.J (Oral)

The petitioners herein seek a writ in the nature of mandamus directing the respondents authorities to consider their claim as raised in representation dated 17.08.2022 (Annexure P-7) and re-fix their seniority/merit list by considering their marks obtained in supplementary examination of Lower School Course, in view of orders dated 16.09.2021 and 08.11.2021 passed in CWP No.18743 of 2021 and CWP No.18810 of 2021 as well as order dated 29.07.2022 (Annexures P-4 to P-6 respectively). The petitioners have also sought mandamus directing the respondents to promote them to the post of Assistant Sub Inspector as per the merit list from the date of their entitlement and release all arrears and consequential benefits arising thereof.

Counsel appearing on behalf of the petitioners would submit that at this stage, the petitioners would be satisfied in case their representation, Annexure P-7, is decided by passing a speaking order while

taking into consideration Annexures P-4 to P-6, in a time bound manner, in accordance with law.

Notice of motion.

On the asking of the Court, Mr. Tapan Kumar, DAG, Haryana, accepts notice on behalf of the respondents and submits that the respondents will look into the matter and will take a decision on the representation of the petitioners.

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

Without commenting on merits of the case, the present petition is disposed of with a direction to respondent No.1 to decide the representation dated 17.08.2022 (Annexure P-7) of the petitioner, by passing a speaking order, while taking into consideration the orders passed in Annexures P-4 to P-6, within a period of three months from the date of receipt of the certified copy of this order, in accordance with law and convey the decision to the petitioners. 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

28.09.2022

sanjeev

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No