

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(129)

CWP-23659-2022

Date of Decision : October 17, 2022

Shiv Kumar

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sandeep Thakan, Advocate, for the petitioner.

HARSIMRAN SINGH SETHI J. (ORAL)

Learned counsel for the petitioner argues that in the present petition, the promotions have been made on the basis of tentative seniority list without finalizing the same, which has caused prejudice to the petitioner as in the tentative seniority list, the correct seniority position of the petitioner has not been shown and the petitioner has already raised grievance qua the said action of the respondents.

Learned counsel for the petitioner submits that the petitioner was directly recruited and the seniority of a candidate is to be fixed on the basis of the merit obtained in the direct recruitment, hence, the petitioner is senior to number of candidates including respondent No.5, who has been granted promotion to the post of TGT Social Studies vide impugned order dated 25.06.2022.

Learned counsel for the petitioner further submits that the petitioner has already raised the grievance with regard to the promotion of the junior in preference to the petitioner and has also raised the claim vide legal notice dated 05.08.2022 (Annexure P-13) for his own promotion w.e.f. the date persons junior to him were promoted with all consequential benefits 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 by passing an appropriate speaking order.

Notice of motion.

Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in the Court, accepts notice on behalf of the respondents.

Learned counsel for the respondents raises no objection in deciding the legal notice of the petitioner dated 05.08.2022 (Annexure P-13) in a time bound manner by passing an appropriate speaking order.

Without commenting upon the merits of the case or about the entitlement of the petitioner for the relief which has been claimed by him in the legal notice dated 05.08.2022 (Annexure P-13), the present writ petition is disposed of with a direction to respondent No.2 to decide the legal notice dated 05.08.2022 (Annexure P-13) within a period of eight weeks from the receipt of copy of this order.

October 17, 2022

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No