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

CWP-6539-2022

Date of decision: 30.03.2022

PARGAT SINGH

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. K. G. Chaudhry, Advocate
for the petitioner.

JAISHREE THAKUR, J. (Oral)

The petitioner has filed the instant writ petition seeking a direction to the respondents to give him deemed promotion from the date the persons, junior to the petitioner, have been granted deemed promotion to the higher rank with retrospective effect, which benefit has not been extended to the petitioner without any valid justification.

Learned counsel for the petitioner would submit that after the juniors to the petitioner have been given the promotion with retrospective effect giving them benefit of deemed date of promotion after finalizing the seniority list, the petitioner cannot be denied the grant of same benefit of promotion to the post of ASI, Sub-Inspector and Inspector with effect from the date when the person junior to him has been granted the said benefit.

Learned counsel for the petitioner further contends that the said grievance has already been raised by the petitioner before the competent authority in the form of legal notice dated 10.11.2021 (Annexure P-5) but the same is still pending consideration with the authority concerned

which is causing prejudice to him.

At this stage, counsel for the petitioner limits his prayer to the extent that the legal notice dated 10.11.2021 (Annexure P-5), served upon the respondents should be decided expeditiously. He would submit that the petitioner would be satisfied in case the said legal notice is decided in a time bound manner.

Notice of motion.

Mr. Tarun Vir Singh Lehal, Addl. A.G., Punjab, who is present in Court, accepts notice on behalf of the respondents and submits that the respondents will look into the matter and will take a decision on the legal notice of the petitioner. Let sufficient number of copies of the complete paper book be supplied to him during the course of the week, failing which no action would be called for.

The present petition is disposed of with a direction to the respondents to decide the legal notice dated 10.11.2021 (Annexure P-5) of the petitioner within a period of two months from the date of receipt of the 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.

30.03.2022
Chetan Thakur

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No