

122.

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

CWP-24884-2022

Date of Decision: 29.10.2022

JASWINDER SINGH

.... Petitioner

Versus

STATE OF HARYANA AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

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

JAISHREE THAKUR.J (Oral)

The petitioner herein seeks a writ in the nature of mandamus directing the respondents to promote him to the post of Assistant Sub Inspector from the post of Head Constable and to grant him consequential benefits accordingly.

It is contended that the petitioner, being an Ex-serviceman, was enrolled as Constable in Indian Reserve Battalions, on 10.11.2004 and was promoted as Head Constable in the year 2018, however, in the list that was issued on 23.10.2022 for promotion to the post of Assistant Sub Inspectors, his name was not included as only those persons were promoted who have completed Phase-1 & II training/attachment. It is submitted that the petitioner has already done Phase-1 & II training except two months attachment with BSF which is only for handling all type of weapons. It is submitted that the petitioner has the experience of many years for handling

all types of weapons during Army service. It is further submitted that at this stage, the petitioner would be satisfied in case the instant writ petition itself may be treated as a representation and a speaking order is passed thereon, in accordance with law, in a time bound manner.

Notice of motion.

Ms. Kirti Singh, DAG, Haryana, who is present in Court, accepts notice on behalf of the respondents.

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

Without commenting on merits of the case and keeping in view the limited prayer made, the instant petition is disposed of with a direction that the instant writ petition itself shall be treated as a representation on behalf of the petitioner and would be decided by respondent No.2 within a period of one month, from the date of receipt of 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.

(JAISHREE THAKUR)
JUDGE

29.10.2022

sanjeev

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No