

126.

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

CWP-28241-2022

Date of Decision: 08.12.2022

GAURAV GOYAL

.... Petitioner

Versus

PUNJAB STATE CIVIL SUPPLIES CORPORATION LTD.(PUNSUP)
AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. J.P. Rana, Advocate, for the petitioner.

JAISHREE THAKUR.J (Oral)

This is a petition that has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the order dated 06.04.2021, Annexure P-1, of the Managing Director (MD) of the respondent Corporation whereby he is ignored for being promoted as Field Officer without assigning any reason. He has also sought mandamus directing the respondent to promote him to the said post w.e.f. 06.04.2021, with all consequential benefits.

Counsel appearing on behalf of the petitioner would contend that the persons junior to the petitioner have been promoted ignoring his claim. It is submitted that the question of an adverse entry in his ACR would not survive as he has not been served with any such entry and has been given ACP. It is submitted that for his grievance, the petitioner has approached the respondent Corporation number of times and has filed various representations, but no response has been received so far.

Counsel for the petitioner would submit that at this stage, the petitioner would be satisfied in case the very writ petition itself is treated as a representation and a speaking order is passed thereon.

Notice of motion to the official respondent only.

Ms. Deepali Puri, Additional Advocate General, Punjab, who is present in the Court, accepts notice on behalf of official respondent.

Let sufficient number of copies of 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 the respondents by passing a speaking order within a period of three months, 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

08.12.2022

sanjeev

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No