

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(121)

CWP No. 29547 of 2022

Date of Decision : 21.12.2022

Balbir

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Anurag Goyal, Advocate for the petitioner.

Harsimran Singh Sethi J. (Oral)

Learned counsel for the petitioner argues that while allowing the joining to the similarly situated employees to the post of PGT (Mathematics), they have been granted the benefit of antedated appointment i.e. from the date, a candidate junior to him in the merit was appointed and the reliance is being placed upon the order passed by the respondents (Annexures P-12 and P-13) dated 18.08.2021 and 10.09.2021 respectively. Learned counsel for the petitioner submits that the said benefit has not been extended to the petitioner while passing order dated 04.02.2022 (Annexure P-11) hence, the respondents are under obligation to maintain parity between the similarly situated employees for the grant of appointment from a particular date. Learned counsel submits that two different orders have been passed by the respondents under the same circumstances, which is not permissible.

Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the representation dated 17.02.2022 (Annexure P-14) but the same is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a direction is issued to respondents to decide the same by passing an appropriate speaking order in a time bound manner.

Notice of motion.

On the asking of the Court, Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents. Learned counsel for the respondents submits that the representation will be decided within a period of eight weeks, if not already decided, by passing appropriate speaking order and in case, it is found that petitioner is entitled for any benefit, the same will be extended to the petitioner within a further period of four weeks.

Learned counsel for the petitioner submits that keeping in view the said statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further with liberty as prayed for.

Ordered accordingly.

December 21, 2022
kanchan

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No