

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

119

CWP No.3713 of 2023
Date of decision:23.02.2023

Suman Lata

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Shushem Kashyap, Advocate for
Mr. Sandeep Singal, Advocate
for the petitioner.

SUVIR SEHGAL, J. (Oral)

Petitioner has approached this Court under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to promote her as 'Work Supervisor' with effect from the date her juniors have been promoted with consequential benefits.

Counsel for the petitioner submits that the petitioner was engaged as a Beldar, a Group-D post and her services were regularized as Woman Collie w.e.f. 31.01.1996. Counsel submits that although the petitioner was promoted as Clerk in October 2016, but on the petitioner's request, she was reverted to the original post in March, 2018. By referring to Haryana Public Works (Building and Roads) Department (Group C) Field Staff Service Rules, 2012, counsel for the petitioner submits that the petitioner possesses the requisite academic qualifications as well as experience for promotion to the post of 'Work Supervisor', but instead of

promoting her, some of her juniors have been promoted. Counsel submits that petitioner has served a legal notice dated 09.12.2022 (Annexure P-7), which is pending and the petitioner will be satisfied in case a direction is issued to the respondents to look into it.

Notice of motion.

On asking of the Court, Mr. R.K.S.Brar, Addl.A.G., Haryana accepts notice on behalf of the respondents.

Given the nature of order being passed, this Court does not intend to call for a response from the respondents.

Without examining the grievance of the petitioner as raised in the writ petition or in the legal notice, this petition is disposed of with a direction to respondent No.2- Superintending Engineer, Rohtak Circle PWD (B&R), District Rohtak to examine the legal notice dated 09.12.2022 (Annexure P-7) within a period of four months from the date of communication of this order. In case, petitioner is not found to be entitled to promotion, an order be passed assigning the reasons rejecting her claim.

February 23, 2023
savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No