

105 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-6046-2023

Date of decision: 13.07.2023

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.....Petitioner

V/s

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Mr.Gaurav Kalsi, Advocate
for the petitioner.

DEEPAK MANCHANDA J. (ORAL)

The instant petition has been filed under Article 226 of the Constitution of India for issuance of a writ, order or direction in the nature of mandamus for directing the respondents No.1 to 3 to take an appropriate action on the representations dated 30.08.2016, 21.06.2019 and 12.10.2022 given by the petitioner to respondent No.3.

Mr. Gaurav Kalsi, Advocate has put in appearance on behalf of petitioner and filed his *power of attorney*, which is taken on record.

Learned counsel for the petitioner submits that petitioner is working as a Sweeper with the respondent No.3 for the last 24 years and is seeking promotion for the post of Peon, where the number of posts are lying vacant. Learned counsel further submits that as per notification vide letter No.40535/2019-706 dated 12.09.2019 was issued by the State Government to promote the Sweepers to the post of Clerk, whereas petitioner is seeking promotion only to the post and submitted several representations including the representation dated 30.08.2016(Annexure P-3), 21.06.2019 (Annexure P-4) and 12.10.2022 (Annexure P-5). It is again submitted that during the pendency of those representations, the respondent No.4 vide order dated 06.03.2023 has been

promoted to the post of Clerk vide Annexure P-6, who is junior to the petitioner

and has been wrongly promoted as the claim of the petitioner has not been considered till date nor the specific order has been passed on her representations.

After going through the contents of the representation, the representation seems to be vague, wherein no specific detail has been mentioned.

Faced with this, learned counsel for the petitioner undertakes that petitioner will submit a detailed fresh representation before respondent No.-3-The Executive Officer, Municipal Council, Rupnagar and prays that the said representation be decided within a time bound manner by looking into the grievances of the petitioner.

Notice of Motion.

On asking of the Court, Mr. Arun Gupta, AAG Punjab, who is present in the Court, accepts notice on behalf of the State-respondent No.1.

Mr. Sarbuland Singh Mann, Advocate has put in appearance on behalf of the respondent No.3 and filed his *power of attorney*, which is taken on record and accepts notice on his behalf.

Prayer is allowed and petitioner is directed to submit a detailed representation before respondent No.3-The Executive Officer, Municipal Council, Rupnagar, within 2 weeks.

In case the petitioner submits fresh representation within two weeks before the respondent No.3-The Executive Officer, Municipal Council, Rupnagar from the receipt of certified copy of this order, respondent No.3 shall decide the representation in accordance with law.

Disposed of.

(DEEPAK MANCHANDA)
JUDGE

13.07.2023
Sapna