

120.

2023:PHHC:045511

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

CWP-6402-2023

Date of Decision: 27.03.2023

RAKESH KUMAR

.... Petitioner

Versus

STATE OF HARYANA AND OTHERS

.... Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Sanjeev Kumar Bawa, Advocate, for the petitioner.

JAISHREE THAKUR.J (Oral)

The petitioner herein seeks a writ in the nature of mandamus directing the respondents to give him the benefit of promotion and consequential benefits from the date his junior has been promoted retrospectively vide order dated 10.01.2022 (Annexure P-16). He has also sought quashing of the final gradation list and the tentative seniority list of Clerks.

At the very outset, counsel appearing on behalf of the petitioner would submit that at this stage, the petitioner would be satisfied in case his legal notice dated 29.01.2023 (Annexure P-19) addressed to respondents No.2 and 3, ventilating his grievance, whereupon no decision has been taken as yet, is decided in a time bound manner, in accordance with law.

Notice of motion.

At this stage, Mr. Anant Kataria, DAG, Haryana, who is present in Court, accepts notice on behalf of respondent No.1. Appearance has also

been caused by Mr. Padamkant Dwivedi, Advocate, on behalf of respondents No.2 to 5.

Let adequate number of copies of the writ petition be furnished to the respective counsel appearing on behalf of the respondents during the course of the day.

Without commenting on merits of the case and keeping in view the limited prayer made by counsel for the petitioner, the present petition is disposed of with a direction to respondent No.2 to decide legal notice dated 29.01.2023 (Annexure P-19) of the petitioner 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

27.03.2023

sanjeev

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No