

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

119

CWP No.8756 of 2023 (O&M)

Date of decision:04.05.2023

Somvir and others

... Petitioners

Vs.

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Mohit Garg, Advocate
for the petitioners.

SUVIR SEHGAL, J. (Oral)

C.M.No.7813 of 2023

Application is allowed as prayed for.

Annexures P-19 to P-33 are taken on record.

CWP No.8756 of 2023

1. By way of present petition, petitioners have sought issuance of a writ in the nature of *certiorari* for quashing the promotion lists (Annexures P-11 to P-14), whereby, candidates, who have not completed third year of probation, have been confirmed on the post of Sub Divisional Clerk (SDC). A direction has been sought to the respondents to decide the representations (Annexures P-15 to P-18) submitted by the petitioners.

2. Counsel for the petitioners submits that the petitioners were appointed as Clerks on different dates in the years 2018 and 2019 as has been depicted in para 2 of the miscellaneous application. Counsel submits that all the petitioners, except petitioner No.11, cleared SETC examination within the prescribed period and have cleared the probation period, but

without considering them, their counterparts, who have not cleared the probation period, have been promoted by virtue of impugned orders. Counsel submits that the petitioners have submitted various representations with the respondent-authorities, which are pending and the petitioners would be satisfied in case direction is issued to the official respondents to look into representation dated 07.04.2023 (Annexure P-18) in a specific time frame.

3. Notice of motion.
4. On asking of the Court, Mr. Pankaj Middha, Addl.A.G., Haryana accepts notice on behalf of the respondents.
5. Given the nature of order being passed, this Court does not deem it necessary to call for a response from the respondents.
6. Having heard counsel for the parties, but without commenting upon the claim of the petitioners as raised in the writ petition or in the representations, this petition is disposed of with a direction to respondent No.2 to examine the representation dated 07.04.2023 (Annexure P-18) within a period of four months from the date of communication of copy of this order. In case, respondent No.2 finds that claim of the petitioners does not deserve to be acceded to, a speaking order be passed assigning reasons for rejection within the aforesaid period.

May 04, 2023
savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No