

229

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision: 08.08.2023

1. CWP-12582-2019 (O&M)
- Vishal Kumar

Vs.

State of Haryana and others
- .. Petitioner

..Respondents
2. CWP-12808-2019 (O&M)
- Pawan Kumar

Vs.

State of Haryana and others
- .. Petitioner

..Respondents
3. CWP-7363-2021 (O&M)
- Ram Avtar

Vs.

State of Haryana and others
- .. Petitioner

..Respondents
4. CWP-7349-2021 (O&M)
- Mange Ram

Vs.

State of Haryana and others
- .. Petitioner

..Respondents
5. CWP-4656-2020 (O&M)
- Sukhpal

Vs.

State of Haryana and others
- .. Petitioner

..Respondents
6. CWP-17774-2021 (O&M)
- Mehboob Khan

Vs.

State of Haryana and others
- .. Petitioner

..Respondents
- AND
7. CWP-7444-2021 (O&M)
- Phool Kumar

Vs.

State of Haryana and others
- .. Petitioner

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jaspal Singh Maanipur, Advocate and
Ms. Harpreet Kaur, Advocate for the petitioners.

Mr. Harish Rathee, Sr. DAG, Haryana.

...

HARSIMRAN SINGH SETHI, J. (Oral)

1. By this common order, seven writ petitions, detail of which has been given in the heading of the order, are being disposed of, as all of them involve similar question of law.

2. Present writ petition has been filed under Article 226 Constitution of India for issuance of a writ in the nature of Certiorari for quashing the letter dated 22.04.2019 (Annexure P-8), whereby respondent No.2 has rejected the claim of the petitioner for promotion to the post of Forest Guard w.e.f. the date when his juniors were considered and promoted.

3. Learned counsel appearing on behalf of the petitioner submits that the claim of the petitioner for promotion to the post of Forest Guard has been rejected by impugned order (Annexure P-8) wrongly and that too without appreciating the correct facts. Learned counsel for the petitioner submits that the claim of the petitioner for promotion to the post of Forest Guard is covered in his favour keeping in view the order passed in CWP-27797 of 2013 titled as “***Parmod Kumar Vs. State of Haryana and others***”, decided on 20.11.2017. Learned counsel for the petitioner further submits that thereafter, a similarly situated employee, namely, Zile Singh, who was also claiming promotion to the post of Forest Guard, his writ petition bearing CWP-27328-2018 titled as “***Zile Singh Vs. State of Haryana and others***” has been disposed on 09.02.2023 by co-ordinate bench of this Court

giving directions to the respondents to consider the claim of the said employee and if found entitled to, grant him promotion from the date the persons junior to him have been promoted. Hence, the respondents are under obligation to consider the claim of the petitioner and also grant him promotion to the post of Forest Guard from the date, the persons junior to the him have been promoted.

4. Learned State counsel submits that in case, any representation is filed by the petitioner placing reliance upon the judgment in Zile Singh's case, an appropriate order will be passed by the department, the said representation will be decided within a period of eight weeks from the date of receipt of certified copy of this order. In case the claim of the petitioner is found covered by the decision of this Court in CWP-27328-2018 titled **“Zile Singh Vs. State of Haryana and others”**, appropriate relief will also be given to him within a further period of four weeks.

5. Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed with liberty to file appropriate representation claiming the relief.

6. Ordered accordingly.

7. Since the main cases have been disposed of, pending application, if any, is rendered infructuous.

08.08.2023
Jasmine Kaur

(HARSIMRAN SINGH SETHI)
JUDGE