

CWP-15275-2023(O&M)

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2023:PHHC:145377

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-15275-2023(O&M)

Date of decision : 16.11.2023

Naveen Joshi

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Balbir Singh, Advocate
for the applicant-petitioner.

Mr.Ferry Sofat, Addl.A.G. Punjab.

VIKAS BAHL, J.(ORAL)

CM-19104-CWP-2023

1. This is an application under Section 151 CPC for preponing the date of hearing in the main case from 15.05.2024 to today itself.
2. With the consent of parties, the application is allowed and the main case is preponed from 15.05.2024 to today itself for hearing.

CWP-15275-2023

1. This is a civil writ petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to appoint the petitioner on the post of Junior Engineer (Civil) under category code Economically Weaker Section (EWS-92) vide letter dated 14.02.2023 (Annexure P-11).
2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner, the petitioner has given a detailed legal notice dated 10.05.2023 (Annexure P-15) to the respondent authorities

including respondent no.4 and at this stage, would be satisfied in case respondent no.4 considers the said legal notice in a time bound manner and if after considering the same, in case, the plea raised by the petitioner is found to be meritorious, then necessary relief be granted to the petitioner.

3. Learned State counsel has submitted that the respondent no.4 would consider the legal notice and decide the same within a period of 3 months from the date of the receipt of certified copy of the present order.

4. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to respondent no.4 to consider the legal notice dated 10.05.2023 (Annexure P-15) of the petitioner and decide the same, in accordance with law, as expeditiously as possible, preferably within a period of 3 months from the date of the receipt of certified copy of the present order and in case, after considering the same, the plea raised by the petitioner is found to be meritorious, then necessary relief be granted to the petitioner and in case, the plea raised by the petitioner is not found to be meritorious, then a speaking order rejecting the same be passed within a period of 3 months from the date of the receipt of certified copy of the present order.

5. It is made clear that this Court has not opined on the merits of the case and respondent no.4 would consider and decide the legal notice independently, in accordance with law.

(VIKAS BAHL)
JUDGE

November 16, 2023.

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No