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

CWP-15855-2023

Date of decision: 26.07.2023

Krishan Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Gunjan Mehta, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G. Haryana,
for respondent Nos.1 to 4.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to consider and promote the petitioner as “Sub-Inspector” from the date i.e., 15.12.2021 when his junior Sh. Deepak S.I. (respondent No.5) has been promoted vide order dated 15.12.2021 (Annexure P-8) by extending the benefit of reservation in promotion. Further prayer has been made in the writ petition for setting aside of order dated 04.02.2022 (Annexure P-10).

2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner in the present writ petition, the petitioner had given legal notice dated 22.06.2022 (Annexure P-14) to respondent

No.2 and he would be satisfied at this stage, in case, the said respondent No.2 is directed to consider the said legal notice dated 22.06.2022 (Annexure P-14) in a time bound manner and in case, the pleas raised by the petitioner are found to be meritorious then to grant necessary relief in accordance with law.

3. Learned State Counsel has submitted that respondent No.2 would consider the said legal notice dated 22.06.2022 (Annexure P-14) in accordance with law, as expeditiously as possible preferably within a period of one month from the date of receipt of certified copy of the present order.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with direction to respondent No.2 to consider legal notice dated 22.06.2022 (Annexure P-14) in accordance with law within a period of one month from the date of receipt of certified copy of the present order and in case, the pleas raised by the petitioner are found to be meritorious then respondent No.2 would grant necessary relief, in accordance with law and in case, respondent No.2 is of the opinion that the pleas raised by the petitioner are not meritorious then a speaking order rejecting the same be passed within a period of six weeks from the date of receipt of certified copy of the present order.

5. This Court has not opined on the merits of the case and respondent No.2 would consider the case of the petitioner independently and in accordance with law.

26.07.2023

Pawan

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No