

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 128

Civil Writ Petition No.20395 of 2023
Date of Decision: September 14, 2023

Mahender Singh

..... PETITIONER(S)

VERSUS

State of Haryana and others

..... RESPONDENT(S)

. . .

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

. . .

PRESENT: - Mr. J.P. Sharma, Advocate for the petitioner.

. . .

Tribhuvan Dahiya, J. (Oral)

This petition has been filed seeking a writ of *mandamus* directing the respondents to consider and promote the petitioner to the post of Superintendent, as he is due retire on 30.04.2024, and release fifty per cent pending salary for the suspension period along with interest.

2. Learned counsel for the petitioner contends that the petitioner was not considered for promotion only on account of pending criminal case in which he has now been acquitted by the trial Court vide judgment dated 02.08.2021, Annexure P-1. Based on that, his case has also been recommended for promotion from the post of Clerk to Superintendent vide letter dated 17.08.2023, Annexure P-3. The petitioner is due to retire in April 2024, if his case is not considered for promotion soon an irreparable loss will be caused to him. At this stage, the petitioner will be satisfied in case he is allowed to make a representation raising all these claims to respondent No.2, before whom the promotion case is also pending. And the

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same should be considered and decided by respondent No.2 within a specified time.

3. Notice of motion.

4. Ms. Tanushree Gupta, DAG, Haryana, appearing on advance notice, submits that in case any such representation is filed by the petitioner, the same shall be decided expeditiously.

5. In view thereof, without going into merits of the case, the petition is disposed of with liberty to the petitioner to file a representation before respondent No.2 within a period of one week from today. In case any such representation is filed, the same shall be decided by respondent No.2 by passing a speaking order in accordance with law, within a period of eight weeks from the date of receiving the representation.

(Tribhuvan Dahiya)
Judge

September 14, 2023
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Whether Speaking/ Reasoned:
Whether Reportable:

Yes/ No
Yes/ No