

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

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**CWP-20401-2023
Date of decision: 14.09.2023**

LACHMAN DASS

....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present : Mr. Peeush Gagneja, Advocate for the petitioner.

DEEPAK MANCHANDA. J.(Oral)

The instant writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ, order or direction especially in the nature of mandamus, directing the respondents for grant of promotion to the petitioner as Safai Jamadar.

Learned counsel for the petitioner submits that petitioner is serving in Municipal Council Bhucho Mandi as senior most Safai Sewak. Learned counsel for the petitioner further submits that there is no complaint whatsoever in the work and conduct of the petitioner and he is entitled for grant of promotion to the post of Safai Mate. On 26.08.2022 (Annexure P-1) the petitioner had submitted a representation with a prayer to grant him promotion to the post of Safai Mate. Thereafter, the petitioner moved another application dated 28.09.2022 (Annexure P-2) and in response thereto, respondent No.2 had forwarded the case to respondent No.3 vide letter bearing No.S2-JS-DLG-22/41185 dated 17.10.2022 (Annexure P-3) and the respondent No.3 had also forwarded the case to the Municipal Council vide letter bearing No.ADC (UD)-2022/3309 dated 04.11.2022 (Annexure P-4), but no action has been taken so far. Learned counsel further submits that petitioner has served a legal notice dated 11.07.2023 (Annexure P-5) to respondents, which has not been taken into consideration till date and the petitioner would be satisfied if necessary directions are given for deciding the

legal notice in a time bound manner.

Notice of motion.

At this stage, on asking of the Court, Mr. Arun Gupta, AAG Punjab, who is present in the Court, accepts notice on behalf of the respondent No.1 to 3 and submits that respondent No.4 is the competent authority to decide the legal notice.

Ms. J.K. Dhaliwal, Advocate, who is present in the Court, accepts notice on behalf of respondent No.4 and convey no objection in deciding the present legal notice dated 11.07.2023 (Annexure P-5).

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the legal notice dated 11.07.2023 (Annexure P-5), respondent No.4 is directed to decide the legal notice in accordance with law, by passing a speaking order within a period of 8 weeks from the date of receipt of certified copy of this order.

The petition stands disposed of.

(DEEPAK MANCHANDA)
JUDGE

14.09.2023
Amandeep

Whether speaking/reasoned	:	Yes / No
Whether reportable	:	Yes / No