

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-20944-2023
DECIDED ON: 20.10.2023

PAWAN KUMAR

.....PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Sandeep Kumar Goyat, Advocate
for the petitioner.

Ms. Dimple Jain, DAG, Haryana.

Mr. Karan Bhardwaj, Advocate
for respondent No.5.

Mr. Padamkant Dwivedi, Advocate
for respondents No.2 to 4 and 6.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Article 226/227 of the Constitution of India for issuance of a writ in the nature of Certiorari to quash the impugned promotion order dated 31.12.2020 (Annexure P-16), qua respondent No.5 passed by respondent No.2 as junior to the petitioner has been promoted.

Learned counsel for respondents No.2 to 4 and 6 submits that the petitioner has already filed an appeal before the Appellate Authority against the order of punishment dated 03.11.2022 (Annexure P-11), which is still pending.

Learned counsel for the petitioner faced with the situation wishes not to withdraw the instant petition and seeks indulgence of this Court to direct the Appellate Authority to decide the appeal expeditiously. He also asserts that question of promotion against which he has made a representation dated 19.07.2023

(Annexure P-15) and earlier representations dated 19.01.2021 and 21.03.2021 (Annexures P-19 and P-20), may be considered and decided in accordance with law.

Considering the aforesaid circumstances and statement made by Mr. Padamkant Dwivedi and the stand taken by the counsel for the petitioner, the petition stands disposed of with a direction to the Appellate Authority to decide the appeal expeditiously preferably within three months from the date of receipt of the certified copy of this order.

It is further made clear that representations dated 19.01.2021 and 21.03.2021 (Annexures P-19 and P-20), which are questioning the promotion orders qua respondent No.5, for which Mr. Karan Bhardwaj, Advocate puts in appearance today shall also be examined by the competent authority and be decided by passing a speaking order in accordance with law. Copy thereof will be furnished to the petitioner within two week thereafter.

The petition is disposed of with the above direction.

(SANDEEP MOUDGIL)
JUDGE

20.10.2023

Poonam Negi

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>