

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

131

CWP No. 25067-2023 (O&M)
Decided on : 06.11.2023

Charanjit Singh

. . .Petitioner

Versus

State of Haryana and others

. . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Jasinder Singh Thind, Advocate for the petitioner.

Mr. Pankaj Middha, Additional Advocate General, Haryana.

HARSIMRAN SINGH SETHI , J. (Oral)

1. In the present petition, the claim of the petitioner is that the petitioner is entitled for the grant of promotion in the quota of degree-holder from the date when the person junior to him, has been promoted.

Learned counsel for the petitioner submits that while promoting the junior persons under the quota of degree holder, the claim of the petitioner was not considered keeping in view the facts that the degree of Engineering which the petitioner had obtained was through the distance Education mode was not considered as valid but now, the said issue has already been settled by the Hon'ble Supreme Court of India and this Court has already held that such degrees are to be treated as a valid degree from the date the same was awarded to a candidate as settled while passing order

in CWP No. 32475 of 2019, titled as '**Vikas Goyal v. State of Haryana and others**' decided on 13.09.2023, copy of which has been appended with the petition as Annexure P-12. .

2. Learned counsel for the petitioner submits that the petitioner is also entitled for the said benefit as extended to the petitioner in **Vikas Goyal's case (Surpa)**.

Learned counsel for the petitioner further submits that the claim, as raised in the present petition, has already been raised before the respondents-authorities, through a representation dated 20.07.2020 (Annexure P-10), which is still pending consideration with the respondent No. 3 -Chief Engineer/Administration and the petitioner will be satisfied, at this stage, in case, a direction is issued to the respondent No. 3 to decide the said representation in a time bound manner keeping in mind the decision of this Court in ***Vikas Goyal' s case (Surpa)***.

3. Notice of motion.

4. On the asking of the Court, Mr. Pankaj Middha, Additional Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, representation dated 20.07.2020 (Annexure P-10) has been received in the office of respondent No. 3- Chief Engineer/Administration and the same is still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of **three months** of the receipt of certified copy of this order by passing an appropriate speaking order.

5. Learned counsel for the petitioner submits that keeping in view the statement of learned State counsel, the present petition may kindly be disposed of having been not pressed any further.

6. Ordered accordingly.

7. It may be noticed that in case while deciding the claim of the petitioner as being sought under the representation dated 20.07.2020 (Annexure P-10), other employees, who are likely to be effected by the said decision, they will also be given due opportunity of hearing to represent their case before passing any order by competent authority, so that, no prejudice is caused to them while deciding the said representation.

(HARSIMRAN SINGH SETHI)
JUDGE

06.11.2023

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Whether speaking/reasoned: *Yes/~~No~~*
Whether Reportable: *~~Yes~~/No*