

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH
Sr. No.: 225

Civil Writ Petition No.32933 of 2018
Date of Decision: *August 22, 2023*

Iqbal and another

..... PETITIONER(S)

VERSUS

State of Haryana and others

..... RESPONDENT(S)

. . .

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

. . .

PRESENT: - Mr. Ravinder Malik (Ravi), Advocate for the petitioners.

Mr. Rohit Arya, DAG, Haryana.

Ms. Perna Malhotra, Advocate for Mr. Prateek Mahajan,
Advocate for respondents No.3 to 5.

. . .

Tribhuvan Dahiya, J. (Oral)

This petition has been filed seeking a writ of *certiorari* quashing the impugned letter, dated 28.11.2016 (Annexure P-11), passed by respondent No.2 as well as resolution No.12, dated 29.12.2016 (Annexure P-12), passed by respondent No.4 whereby while implementing the New Staff Ratio Scheme in the respondent University, promotions under the Old Staff Ratio Scheme have been ordered to be banned, thereby depriving the petitioners' of their right of promotion to the post of Assistant. Further, a writ of *mandamus* directing the respondents to promote the petitioners on the post of Assistant as per Old Staff Ratio Scheme, along with all consequential benefits, has been sought.

2. Learned counsel for the petitioners, by referring to office order dated 28.07.2023, submits that the petitioners have already been granted promotion under the Old Staff Ratio Scheme before 10.10.2016

notionally and actual promotion with immediate effect. This substantially satisfies the claim raised in the petition. The petitioners, however, are aggrieved against non-grant of arrears accruing to them on account of this promotion, as it is with immediate effect. It is contended that the petitioners may be permitted to file a representation in that regard to the respondent/University.

3. In view thereof, the writ petition is disposed of by granting liberty to the petitioner to file appropriate representation to the respondent/University for claiming arrears of promotion.

4. In case any such representation is filed within three weeks from today, the same shall be decided by respondent no.5 by passing a speaking order in accordance with law, within a period of eight weeks therefrom.

(Tribhuvan Dahiya)
Judge

August 22, 2023
Payal

<u>Whether Speaking/ Reasoned:</u>	<u>Yes/ No</u>
<u>Whether Reportable:</u>	<u>Yes/ No</u>