

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-28101-2023 (O&M)
Decided on : 14.12.2023

Bal Mukand

. . .Petitioner

Versus

State of Haryana and another

. . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Abhinav, Advocate for the petitioner.

Mr. Pankaj Middha, Additional Advocate General, Haryana.

HARSIMRAN SINGH SETHI , J. (Oral)

1. Learned counsel for the petitioner submits that the petitioner has not been paid the salary despite antedate promotion by the respondents-department. Learned counsel for the petitioner submits that once, the non-grant of the promotion from the date from which the junior of the petitioner was granted the benefit of promotion was due to inaction on the part of the respondents, the petitioner cannot be granted retrospective promotion only on notional basis and the petitioner will be entitled for the full salary for the period the petitioner was not allowed to discharge the duty on the higher post.

2. Learned counsel for the petitioner also submits that the petitioner has already raised the said grievance in the Legal Notice dated 09.03.2023 (Annexure P-29) but the same is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

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, the Legal Notice dated 09.03.2023 (Annexure P-29) has been received in the office of the concerned authorities and the same is still pending consideration with the authorities concerned, the same will be decided by the competent authority within a period of **eight weeks** 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.

(HARSIMRAN SINGH SETHI)
JUDGE

14.12.2023

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