

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP--28595 -2023 (O&M)
Decided on : 19.12.2023

Ravi Mehra

...Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Vikram Sheoran, Advocate for the petitioner.

Mr. Pankaj Middha, Additional Advocate General, Haryana.

HARSIMRAN SINGH SETHI , J. (Oral)

1. In the present petition, the grievance of the petitioner is that the petitioner and respondent No. 4 -Raghubir Singh were selected in pursuance to the same selection process and in the merit list, copy of which has been appended as Annexure P-5, the petitioner was shown higher in merit as compared to respondent No. 4 hence, the petitioner had a preferential right for promotion to the post of Kanungo over the respondent No. 4 whereas, by the impugned dated 19.05.2022, respondent No. 4 has been promoted ignoring the rightful claim of the petitioner.

2. Learned counsel for the petitioner submits that once, the petitioner is senior to respondent No. 4 , he is entitled for the promotion to the post of Kanungo with effect from the date from which respondent No. 4 has been promoted with all the consequential benefits.

3. Learned counsel for the petitioner also submits that the petitioner has already raised the said grievance in the representation dated 20.10.2023 (Annexure P-4) 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.

4. Notice of motion.
5. 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 representation dated 20.10.2023 (Annexure P-4) 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 and in case, after the decision, the petitioner is found entitled for any relief, the same will be extended to him within a further period of **four weeks**.
6. 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.
7. It may be noticed that before passing any order, respondent No. 4-Raghubir Singh should also be heard and given opportunity to rebut the claim of the petitioner as being raised in the representation dated 20.10.2023 (Annexure P-4).
8. Ordered accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

19.12.2023

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