

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

111

CWP-1105-2024

Date of Decision :19.01.2024

Ajay Khurana

...Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Mukesh Kumar Verma, Advocate for the petitioner.

Mr. Harish Nain, AAG, Haryana.

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Harsimran Singh Sethi, J. (Oral)

1. Learned counsel for the petitioner submits that without framing the seniority list in the cadre of clerk, promotions to the post of Assistant have been made by the respondents whereas, the claim of the petitioner is that he is senior to private respondent No.4, keeping in view the merit obtained by him in the direct recruitment on the post of clerk.

2. Learned counsel for the petitioner further submits that as the petitioner had better merit than respondent No.4, he is entitled for promotion to the post of Senior Assistant in preference to the private respondent whereas, by impugned order, private respondent No.4 has been promoted to the post of Assistant ignoring the claim of the petitioner.

3. Learned counsel for the petitioner further submits that the petitioner has already raised the said grievance before the respondents by way of serving legal/demand notice dated 09.12.2023 (Annexure P/9),

which is still pending consideration with the respondents and the petitioner will be satisfied, at this stage, in case a time bound direction is issued to the respondents to decide the said legal/demand notice.

3. Notice of motion.

4. Mr. Harish Nain, AAG, Haryana accepts notice on behalf of the respondent-State and submits that in case the legal/demand notice dated 09.12.2023 (Annexure P/9) has been received from the petitioner and is still pending consideration with the respondents, the same will be decided by the respondents in accordance with law and an appropriate order will be passed within a period of 08 weeks from the date of receipt of copy of this order

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

6. Ordered accordingly.

January 19, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No