

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

(110)

CWP-2206-2024

Date of Decision : February 02, 2024

Vijay Kumar

.. Petitioner

Versus

State of Haryana and another

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sudhanshu Makkar, Advocate, for the petitioner.

Mr. Harish Nain, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present writ petition, the claim of the petitioner is that the petitioner is entitled for the grant of promotion to the post of Assistant with effect from the date when the employee junior to him, namely, Naveen Kumar, has been promoted.

2. Learned counsel for the petitioner submits that the action of the respondents-department in creating two cadres i.e. Head office cadre and Field cadre is arbitrary and illegal and once the petitioner has joined his service prior to Naveen Kumar, who has already been promoted to the post of Assistant, hence, the petitioner is entitled for the grant of promotion to the post of Assistant from the date when the said Naveen Kumar, who is junior to him, has been promoted.

3. Learned counsel for the petitioner submits that the petitioner has already raised the said grievance in the representation dated 12.12.2023

(Annexure P-6) 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. Harish Nain, AAG, Haryana, who is present in Court, accepts notice on behalf of the respondent-State and submits that in case, the representation dated 12.12.2023 (Annexure P-6) 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 benefit, 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 writ petition may kindly be disposed of having been not pressed any further.

7. Ordered accordingly.

February 02, 2024

harsha

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No