

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP-2371-2024
Date of decision : 05.02.2024

Tek Chand
... Petitioner

Versus

State of Haryana and others
... Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.M.D. Khan, Advocate
for the petitioner.

Ms.Rajni Gupta, Addl.A.G. Haryana.

VIKAS BAHL, J.(ORAL)

1. This is a civil writ petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to consider the claim of the petitioner for promotion from the post of Sub Inspector to the post of Inspector in Haryana Police w.e.f. the similar situated employee(s) have been promoted.
2. Learned counsel for the petitioner has submitted that for the grievances raised by the petitioner, the petitioner has given a legal notice dated 04.12.2023 (Annexure P-6) and at this stage, would be satisfied in case the legal notice is considered by the competent authority of respondent no.1 in a time bound manner and if after considering the same, in case, the plea raised by the petitioner is found to be meritorious, then necessary relief be granted to the petitioner.
3. Learned State counsel has submitted that the competent authority of respondent no.1 would consider the said legal notice and decide

the same within a period of 3 months from the date of the receipt of certified copy of the present order.

4. Keeping in view the above said facts and circumstances, the present petition is disposed of with a direction to the competent authority of respondent no.1 to consider the legal notice dated 04.12.2023 (Annexure P-6) of the petitioner and decide the same, in accordance with law, as expeditiously as possible, preferably within a period of 3 months from the date of the receipt of certified copy of the present order and in case, after considering the same, the plea of the petitioner is found to be meritorious, then necessary relief be granted to the petitioner and in case, the plea of the petitioner is not found to be meritorious, then a speaking order rejecting the same be passed within a period of 3 months from the date of the receipt of certified copy of the present order.

5. It is made clear that this Court has not opined on the merits of the case and the competent authority of respondent no.1 would consider and decide the legal notice independently, in accordance with law.

(VIKAS BAHL)
JUDGE

February 05, 2024.
Davinder Kumar

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