

2024:PHHC:021266
IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-2911-2024

Date of Decision:09.02.2024.

NEERU BALA AND ORS

....PETITIONERS

VS

STATE OF PUNJAB AND OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. D.S. Patwalia, Advocate with
Mr. Kannan Malik, Advocate and
Mr. Sehar Navjeet Singh
for the petitioners.

Mr. Vaishnav Gandhi, DAG, Punjab.

AMAN CHAUDHARY J. (ORAL)

1. The present Civil Writ Petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondent No. 1 & 2 to promote the petitioners working in Government Polytechnic Colleges Institutions from the date of their eligibility under the respondent No.1-Department as Steno typist and Junior Scale Stenographer to the the post of Senior Assistant.

2. Learned counsel for the petitioners would contend that the draft rules regarding Service Rules for Groups A, B, C and D under Department of Technical Education & Industrial Training (Technical Education Wing) are stated to be still under consideration, as per the information received by the petitioners under the RTI Act, 2005 vide letter dated 08.11.2023 (Annexure P-11). As per the same, there is an avenue of promotion being provided to the petitioners, who are stenotypists and Junior Scale Stenographers for promotion to the post of Senior Assistant, which was

unavailable as per the Punjab Industrial Training (Class III) Ministerial Service Rules, 2001. These draft rules though have been implemented qua the Junior Assistants for promoting them to the post of Senior Assistant. In wake of the above, representations dated 16.09.2022 (Annexure P-17) and 19.10.2022 (Annexure P-19) have been submitted to the respondents, which have not yet evoked any response. He thus, at this stage, on instructions, submits that the petitioners are sanguine of it being considered in a positive manner, in case, a direction is given to the respondents to decide the same in a time bound manner by granting an opportunity of hearing.

3. Notice of motion.
4. At the asking of the Court, Mr. Vaishnav Gandhi, DAG, Punjab accepts notice on behalf of the respondent-State and has no objection to the limited prayer made.
5. In view of the aforesaid and without commenting upon the merits of the case, this petition is hereby disposed of with a direction to respondents to consider the representation dated 16.09.2022, Annexure P-17 and 19.10.2022, Annexure P-18 and decide the same, within a period of four months, taking note of the fact that Draft Rules have been implemented qua the Assistants.

(AMAN CHAUDHARY)
JUDGE

09.02.2024
pry

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