



CWP-10474 of 2024

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

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CWP-10474 of 2024

Date of Decision:07.05.2024

Neelam Rani and another

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

**Present: Mr. Surinder Singh, Advocate,
for the petitioner.**

AMAN CHAUDHARY J. (Oral)

1. The present petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the impugned orders dated 05.12.2022, Anneuxre P-4, dated 24.03.2023, Annexure P-5, dated 18.04.2023 (which has been refused to be supplied vide letter dated 16.02.2024, Annexure P-6) and order dated 26.04.2022, Anneuxre P-10.

2. Learned counsel for the petitioner submits that by way of an order dated 26.04.2022, Anneuxre P-10, copy of which was never supplied to them and prior thereto no notice had been issued before debarring them for promotion from Pharmacy Officers to Senior Pharmacy Officers, claims that

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they are entitled to be promoted from the date their juniors have been promoted. The premise of debarring is also apparently misconceived inasmuch as there was no refusal in writing that was given by them to join at the place of postings after the bifurcation of the departments. They were given to understand that they would be posted under respondent No.2 department, for which they had given an option. He relies upon a judgment of this Court in **Iqbal Singh vs. State of Punjab and others**, Law Finder Doc Id # 903861 in particularly 12 thereof. He, on instructions, submits that the petitioners would be satisfied if their legal notice dated 15.05.2023, Annexure P-8, is directed to be decided in a time bound manner.

3. Notice of motion.

4. Mr. Satnampreet Singh, DAG, Punjab accepts notice on behalf of the respondents-State and has no objection to the limited prayer made by learned counsel for the petitioners.

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 the respondents to decide the legal notice dated 15.05.2023, Annexure P-8 keeping in view the aforesaid submissions as also the judgment referred to hereinabove, within a period of six months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to them, and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse



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to their interest, the same shall contain reasons and the petitioners shall be free to seek legal redress.

(AMAN CHAUDHARY)
JUDGE

May 07, 2024
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No