

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

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**CWP No.3800 of 2024
Date of Decision : 22.2.2024**

*Mahavir Singh**..... Petitioner**versus**State of Haryana and others**..... Respondents*

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Ravinder Malik (Ravi), Advocate, for the petitioner
Ms. Tanushree Gupta, DAG, Haryana

TRIBHUVAN DAHIYA J. (ORAL):

The petition has been filed, *inter alia*, impugning the order dated 4.10.2023, Annexure P-8, whereby the private respondents have been assigned look-after charge to the post of Sub Divisional Engineer (Civil), by the first respondent.

2. Learned counsel for the petitioner contends that the private respondents are junior to the petitioner as per seniority list, Annexure P-9, and are not entitled to the look-after charge assigned to them. It is contrary to the law laid down by the Supreme Court vide judgment dated 8.5.2023 passed in SLP (C) No.20214-20216 of 2011 titled *T. Valsan (D) through LRs and others v. K. Kanagaraj and others*, as well as the government instructions dated 2.11.2016, Annexure P-6, and 4.3.2020, Annexure P-7. At this stage, the petitioner will be satisfied in case the first respondent is directed to decide the pending representation dated 18.12.2023, Annexure P-10, in the light of the law laid down in the

aforementioned judgment.

3. Notice of motion.

4. Learned State counsel, appearing on advance notice, contends that the pending representation shall be considered and decided expeditiously.

5. In view thereof, without going into the merits of the case, the petition is disposed of with a direction to first respondent/Additional Chief Secretary, Public Health Engineering Department, Government of Haryana, to decide the pending representation dated 18.12.2023 in light of the judgment passed by the Supreme Court in *T. Valasan* case (*supra*), by passing a speaking order, within a period of four weeks from the date of receiving certified copy of this order.

6. In case the order is not passed within the stipulated period, the officer concerned shall pay costs of Rs.25,000/- to the petitioner.

(TRIBHUVAN DAHIYA)
JUDGE

22.2.2024

Ashwani

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