

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

117

CWP-4222-2024
Date of decision: 13.03.2024

Munish Kumar
....Petitioner
Versus
State of Punjab and others
...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Ms. Sonia G. Singh Samber, Advocate for the petitioner.

AMAN CHAUDHARY. J.

1. The prayer in the present Civil Writ Petition filed under Article 226 of the Constitution of India, is to issue a writ in the nature of mandamus, for directing the respondents to promote the petitioner in view of the recommendations of the Departmental Promotion Committee, Annexure P-8 and allowed provisional promotion to him to the post of Clerk during the pendency of the present writ petition.
2. Learned counsel would submit that the petitioner had joined as a Sweeper on 22.01.2014. Applications having been invited from the eligible candidates for promotion from the post of Grade-IV to the post of Clerk on 18.02.2019, Annexure P-1, whereupon, he had applied and type test was to be held on 28.05.2019. However, the same was postponed. Thereafter, the Departmental Promotion Committee was constituted, headed by DIG Jail Headquarters, which vide order dated 14.09.2022, Annexure P-8, recommended the petitioner alongwith others. However, till date the same has not been acted upon. In this regard, a legal notice dated nil, Annexure P-9, has been served upon the respondents, which has yet not evoked any response. He thus, at this stage, on instructions, submits that the petitioner is 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 him an opportunity of hearing.

3. Notice of motion.

4. At the asking of the Court, Mr. Swapan Shorey, 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 the respondents to consider the legal notice, Annexure P-9 and decide the same taking note of the pleas raised, within a period of six months and if found entitled, necessary benefit be granted to him forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating the petitioner therewith.

(AMAN CHAUDHARY)
JUDGE

13.03.2024
Hemant

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