

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP-7600-2024 (O&M)

Date of decision: 04.04.2024

Gurinder Singh Sodhi

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. Rahul Bhargava, Advocate for the petitioner.

AMAN CHAUDHARY, J (Oral)

1. The prayer in the present Civil Writ Petition filed under Article 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus directing respondents No.1 to 3 to consider the promotion of the petitioner as regular for the post of Chief Pharmacist Grade-II from the year 2001 and Chief Pharmacist Grade-I from the year 2003 and release all consequential benefits.

2. Learned counsel would contend that the petitioner who was given adverse remarks from 1997 to 2002, which were although expunged vide orders, Annexures P1 to P3, last of which on 03.01.2017, however, he has not been granted promotions to which he was entitled. In this regard, a representation has been submitted by him which evoked response from the Civil Surgeon, Tarn Taran vide letter dated 17.07.2023 addressed to Senior Medical Officer, CHI, Chabal, that in case action is not taken, interest that accrued, shall be payable by the office. He thus, at this stage, on instructions, submits that the petitioner would be satisfied in case, a direction is given to the respondents to decide the claim of the petitioner in a time bound manner by granting him an opportunity of hearing.

3. Notice of motion.

4. At the asking of the Court, Mr. Charanpreet Singh, AAG, 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 and decide the claim of the petitioner by taking into account letter dated 03.01.2017 (Annexure P3), within a period of 6 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 him therewith.

04.04.2024

ashok

**(AMAN CHAUDHARY)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No