

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CWP-5582-2024
Date of decision: 13.03.2024

Pardeep Kumar and another
.....Petitioners
Versus
State of Punjab and another
...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Jatinderpal Singh, Advocate for the petitioners.

AMAN CHAUDHARY. J.

1. The prayer in the present Civil Writ Petition filed under Articles 226/227 of the Constitution of India, is to issue a writ in the nature of mandamus, for directing the respondents to consider the case of petitioners for promotion as Naib Tehsildar from the rank of Senior Assistant and further directing the respondents to place on record the entire promotion proceedings undertaken by them.
2. Learned counsel would submit that the petitioners are entitled for promotion to the post of Naib Tehsildar in consonance with ‘The Punjab Naib Tehsildars (Group B) Service Rules, 2019’, having requisite experience in terms of the Rules and after clearing the Departmental Examination, their names had figured at number 11 and 12 of the final seniority list, Annexure P-4. The grievance of the petitioners is that the persons junior to them from serial number 13 to 23 have been granted current duty charge while they have not. He places reliance on the judgment of this Court passed in **Shingara Chand and others vs. Punjab Water Supply & Sewerage Board and others**, 2000(2) S.C.T. 195. In this regard, a representation dated 03.01.2024, Annexure P-10, has been submitted to respondent No.2, which has yet not 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 respondent No.2 to decide the same in a time bound manner by granting them 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 respondent No.2 to consider the representation dated 03.01.2024, Annexure P-10 and decide the same taking note of the aforesaid judgment as referred to by learned counsel for the petitioners, within a period of six months and if found entitled, necessary benefit be granted to them forthwith.

(AMAN CHAUDHARY)
JUDGE

13.03.2024
Hemant

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