

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

121

CWP-6711-2024
Date of decision: 21.03.2024

Bira Singh and others
....Petitioners
Versus
State of Punjab and others
...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Amit Kaith, Advocate
for the petitioners.

AMAN CHAUDHARY. J (ORAL).

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 promote the petitioners against the vacant posts of Yard-Master as per their seniority.
2. Learned counsel would submit that the petitioners were working as Drivers on regular basis and not granted promotion to the next post of Yard-Master. However, they are being performed duty of the same by verbal orders. In this regard, a legal notice dated 30.12.2023, Annexure P-5, has been served upon respondent Nos.1 and 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 Nos.1 and 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. Arun Gupta, 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 Nos.1 and 2 to consider the legal notice dated 30.12.2023, Annexure P-5 and decide the same taking note of the aforesaid pleas, within a period of six months and if found entitled, necessary benefit be granted to them forthwith. However, in the eventuality of the relief being denied, a speaking order be passed, after associating the petitioners therewith.

(AMAN CHAUDHARY)
JUDGE

21.03.2024
Hemant

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