

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

CWP-7597-2024

Date of decision: 04.04.2024

SUMIT KUMAR

..... Petitioner

versus

STATE OF HARYANA AND ANOTHER

.....Respondents

CORAM : HON'BLE MR.JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Parveen Kumar, Advocate and
Mr. Gaurav Arora, Advocate
for the petitioner.

Mr. Harish Nain, AAG, Haryana.

HARSIMRAN SINGH SETHI, J. (ORAL)

1. Learned counsel for the petitioner submits that petitioner was promoted to the post of Assistant vide order dated 26.10.2023 with the condition that petitioner has to pass the SETC test till then, no further promotion and increment will be granted to the petitioner and the petitioner has passed the said SETC test on 12.01.2024 copy of which certificate has been attached as Annexure P-5.

2. Learned counsel for the petitioner submits that despite passing the SETC test, the respondent vide impugned order dated 31.01.2024 have withdrawn the promotion of the petitioner and further direction has been given to recover the increments already given.

3. Notice of motion.

4. Mr. Harish Nain, AAG, Haryana, accepts notice on behalf of the State.

5. Learned counsel for the respondents submits that keeping in view the averments made in the petition, which are yet to be verified, in case the petitioner has already passed the SETC test prior to the passing of the impugned order dated 31.01.2024, he could not have been reverted hence, in case all the facts are brought to the notice of the authority concerned by the petitioner by filing appropriate representation, the reversion order vide impugned order dated 31.01.2024 will be re-considered and appropriate order will be passed afresh.
6. Learned counsel for the petitioner prays that a direction be issued to the respondent to pass the appropriate order in the time bound manner so that, the petitioner does not suffer any prejudice.
7. Learned counsel for the respondent submits that appropriate order will be passed within a period of two weeks of the receipt of the representation of the petitioner and in case the petitioner has already passed the SETC examination, appropriate relief will be given to the petitioner. No further recovery of the annual increment already granted will be done from the petitioner till the passing of the fresh order.
8. Learned counsel for the petitioner submits that keeping in view of the statement of the learned State counsel the present petition may kindly be disposed of as having being not pressed any further.
9. Ordered accordingly.

(HARSIMRAN SINGH SETHI)

JUDGE

04.04.2024

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Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No