



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(110)

CWP No. 10469 of 2024
Date of Decision : 07.05.2024

Praveen Kumar and others

...Petitioners

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Ankur Sidhar, Advocate for the petitioners.

Harsimran Singh Sethi J. (Oral)

1. Learned counsel for the petitioners submits that by the Instructions dated 03.05.2021 (Annexure P-9), the promotion which was being made to a Group-C post to the extent of 20% from amongst the Group-D employees, has been stopped and it has been directed that anyone appointed after the promulgation of Haryana Group D Employees (Recruitment and Conditions of Service) Amendment Ordinance, 2018, the same will not be promoted without the permission of the General Administration by making a common seniority list.
2. Learned counsel for the petitioners further submits that the common seniority list cannot come to the rescue of the department as, the Group-D employees might be working in different department and any post arising in a particular department cannot be filled up from a Group-D



employees working in another department. Learned counsel for the petitioner further submits that once the Instructions prescribed 20% of promotion from Group-D working in a particular department, non-adhering of the same qua Group-D employees, who have been appointed after the promulgation of 2018 Act, is totally arbitrary and illegal.

3. Notice of motion.

4. On the asking of the Court, Mr. Harish Nain, learned Assistant Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondent-State.

5. Learned counsel for the respondents submits that the petitioners have already submitted the representation on 02.04.2024 (Annexure P-16) and the same will be decided keeping in view the grievance raised by the petitioners therein as to whether, any modification needs to be done in the Instructions dated 03.05.2021 (Annexure P-9) or not and appropriate order will be passed within a period of eight weeks from the date of receipt of copy of this order. Learned counsel for the respondents further submits that in case, it is found feasible to accept the claim of the petitioner, the same will be accepted, otherwise due reason will be mentioned for not accepting the claim of the petitioner in the speaking order to be passed. In case, the claim of the petitioners is not decided within the time frame undertaking, serious view will be taken of the said lapse.



6. Learned counsel for the petitioners submits that keeping in view of the statement of learned State counsel, the present petitions may kindly be disposed of having been not pressed any further.
7. Ordered accordingly.

May 07, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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