



CWP-10814-2024

-1-

108

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

**CWP-10814-2024
Date of Decision: 10.05.2024**

Vishal Kundu and others

..... Petitioners

Versus

Haryana Power Generation Corporation Ltd. and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Govind Chauhan, Advocate,
for the petitioners.

JASGURPREET SINGH PURI, J. (ORAL)

1. The present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of *mandamus* by directing the respondents to consider the petitioners for regular promotion to the post of Assistant Engineer (Electrical) from the date of their promotions fell due with all consequential benefits in view of the order dated 13.03.2024 (Annexure P-7) with a further prayer in the nature of *certiorari* for quashing/modifying the impugned promotion order dated 26.12.2023 (Annexure P-2) vide which Current Duty Charge has been given to the petitioners instead of regular promotion.

2. Learned counsel for the petitioners submitted that the petitioners were working as Junior Engineer-1 (Electrical) under the Supervision of respondent No.3 and when their promotion on the post of Assistant Engineer (Electrical) was due then they were given Current Duty

**CWP-10814-2024****-2-**

Charge instead of regular charge by referring to the pendency of LPA-560-2023 before this Court. He further submitted that till date the petitioners have not been given the regular charge and with regard to the same, they have filed a representation vide Annexure P-5 dated 22.02.2024 but neither any reply has been filed by the respondent-Corporation nor the same has been considered and decided by the concerned authority. He submitted that at this stage, the petitioners will be satisfied in case their representation dated 22.02.2024 (Annexure P-5) is directed to be decided by passing a speaking order in accordance with law in a time bound manner.

3. Notice of motion.

4. On the asking of the Court, Mr. Samarth Sagar, Additional Advocate General, Haryana, who is present in Court, accepts notice on behalf of the respondents and states that he has no objection, in case, a direction is issued to respondent No.2 for considering and deciding the representation filed by the petitioners vide Annexure P-5 dated 22.02.2024 in accordance with law and within a fixed time framework.

5. In view of the aforesaid position, without calling for the reply from the respondents and without observing anything on the merits of the case, the present petition is disposed of with a direction to respondent No.2 to consider and decide the representation filed by the petitioners vide Annexure P-5 dated 22.02.2024 strictly in accordance with law by passing a well-reasoned speaking order within a period of three months from today.

6. Apart from the above, before deciding the aforesaid representation, the petitioners shall also be afforded an opportunity of hearing and thereafter, a speaking order shall be passed in accordance with



CWP-10814-2024

-3-

law and the same shall be conveyed to the petitioners.

10.05.2024

(JASGURPREET SINGH PURI)

Bhumika

JUDGE

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |