

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

213

CWP-10066 of 2017 (O&M)

Date of Decision:01.05.2024

Rabinder Singh

....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Mr. R.K. Arora, Advocate,
for the petitioner.

Mr. Amarpreet Singh Bains, AAG, Punjab

AMAN CHAUDHARY J. (Oral)

CM-7419 of 2024

For the reasons mentioned in the application, same is allowed and the order dated 11.06.2015, Annexure P-12 is taken on record, subject to all just exceptions.

Main case

1. The present petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the impugned order dated 18.04.2017, Annexure P-11, whereby the claim of the petitioner for granting him retrospective promotion on the post of Joint Director (Feed and Fodder) w.e.f. 01.09.2012 has been declined.

2. Learned counsel for the petitioner submits that the prayer of the petitioner for grant of retrospective promotion to the post of Joint Director (Feed and Fodder) w.e.f. 01.09.2012 amenable from the judgment passed in CWP No.9325 of 2011, titled **Madan Lal and others vs. State of Punjab and others**, decided on 25.04.2013 wherein a direction had been issued to the respondents to consider the claim of the petitioner as also other similarly placed employees who fulfil the requisite experience for consideration to the post of Joint Director (Feed and Fodder) and pass orders, which was upheld by Hon'ble the Division Bench in LPA No.1413 of 2013, decided on 07.02.2014, Annexure P-2, whereafter while implementing the directions the petitioner who has been given promotion but from 10.02.2014 instead of 01.09.2012 while the similarly circumstanced two persons namely Avtar Singh and Surinder Kumar have been granted from the date from which they were eligible and thus claiming i.e. 01.07.2002 vide order dated 11.06.2015, Annexure P-12, after they had retired on attaining the age of superannuation in the years 2005 and 2007 respectively. Learned counsel on instructions, submits that the petitioners shall be satisfied if a time bound direction is given to the respondents to decide the claim of the petitioners keeping in view the aforesaid facts.

3. Learned State counsel has no objection to the limited prayer made.

4. In view of the above and without commenting on the merits of the case, this petition is hereby disposed of with a direction to the respondents to decide claim of the petitioner keeping in view the submissions

made and the judgment as referred to hereinabove, within a period of 6 months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner. Upon doing so, after notice and hearing offered to him and if found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to their interest, the same shall contain reasons and the petitioner shall be free to seek legal redress thereupon.

(AMAN CHAUDHARY)
JUDGE

May 01, 2024
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Whether speaking	:	Yes/No
Whether reportable	:	Yes/No