

2024:PHHC:080945



142 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-14646-2024

Date of Decision: 01-07-2024

MALKIT SINGH

.....Petitioner

Versus

STATE OF PUNJAB AND ORS.

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Rakesh Sobti, Advocate
for the petitioner.

HARSIMRAN SINGH SETHI, J. (Oral)

In the present petition, grievance being raised by the petitioner is that though at the time of initial appointment, respondent No.5 was placed higher in the merit-list and was being treated as a senior to the petitioner for all intents and purposes but during the course of employment, certain facts have come into light that respondent No.5 was wrongly placed above the petitioner in the merit-list and such grievance has already been raised by the petitioner through legal notice dated 14.06.2024 (Annexure P-22).

Learned counsel for the petitioner submits that the petitioner would be satisfied in case the respondents are directed to decide the said legal notice in time bound manner so that the petitioner shall not suffer any prejudice qua the seniority between the petitioner and respondent No.5.

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Mr. Charanpreet Singh, AAG Punjab appears and accepts notice on behalf of the respondent-State.

Learned State counsel submits that in case the legal notice (Annexure P-22) dated 14.06.2024 has been received in the office, an appropriate order on the same would be passed by respondent No.2 within a period of 8 weeks of the receipt of copy of this order. Learned counsel further submits that in case, it is found feasible to accept the claim of the petitioner, the same will be accepted, otherwise due reasons will be mentioned for not accepting the claim of the petitioner in the speaking order to be passed.

Learned counsel for the petitioner submits that keeping in view the statement of the learned State counsel, present petition may kindly be disposed of as having been not pressed any further.

It may be noticed that as the claim is being raised against respondent No.5, before passing the order of the legal notice, due opportunity be given to respondent No.5 to present the case.

Disposed of accordingly.

(HARSIMRAN SINGH SETHI)
JUDGE

01.07.2024
Sapna Goyal

Whether speaking/reasoned : Yes
Whether Reportable : No