



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

208

CWP-21068-2014

Date of decision : 04.11.2024

Harjit Singh

....Petitioner

V/S

State of Punjab and another

....Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Sandeep Bansal, Advocate with
Mr. Gagandeep Singh, Advocate for the petitioner.

Mr. Surya Kumar, A.A.G., Punjab.

NAMIT KUMAR, J. (ORAL)

1. The petitioner has filed the instant writ petition under Article 226 of the Constitution of India, seeking a writ of certiorari, quashing the order dated 04.08.2014 (Annexure P-6) and further seeking a writ of mandamus, directing the respondents to promote the petitioner as Executive Officer (Class III) in the Municipal Council cadre from Accountant Grade I as posts are lying vacant even in the SC category to which the petitioner belongs and otherwise also the petitioner is the senior most Accountant Grade I, fully eligible for the promotion along with all consequential benefits.

2. During the pendency of the present petition, the petitioner has been promoted to the post of Executive Officer (Class III) vide order dated 09.02.2017 w.e.f. 10.04.2013 against roster point No.115 reserved for SC category. It has also been stated in the said order that he shall not be entitled for arrears of pay. He has further been promoted as



CWP-21068-2014

-2-

Executive Officer (Class II) vide order dated 02.09.2022. The only claim which survives in the present petition is with regard to pay and allowances for the period from 10.04.2013 to 09.02.2017.

3. Learned counsel for the petitioner submits that the petitioner shall file a detailed representation to respondent No.1 claiming the arrears of pay for the abovesaid period in view of the law laid down by a Division Bench of this Court in ***LPA No.1018 of 2012 titled as ‘Satyavir Singh Shekhawat Vs. State Of Haryana and others’ decided on 02.11.2012*** which was followed by this Court in ***CWP No.21473 of 2018 titled as ‘Sanjeevan Singh Vs. State of Punjab and others’ decided on 12.03.2024.***

4. If any such representation is submitted by the petitioner within a period of one month from today, the same shall be considered and disposed of by respondent No.1 within a period of three months thereafter and if the petitioner is entitled to the said benefits, the same shall be released thereafter forthwith along with all consequential benefits.

5. Disposed of in the above terms.

04.11.2024.

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(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No