

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

215

CWP-1830-2017
Date of decision: 18.03.2024

Rohit AroraPetitioner

Versus

Punjab Water Supply & Sewerage Board and others ...Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

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

Mr. Sanjeev Soni, Advocate with
Mr. Sarthak Soni, Advocate for the respondents.

NAMIT KUMAR J. (Oral)

1. The claim of the petitioner in the present writ petition is that he is entitled to be promoted to the post of Junior Assistant w.e.f. 25.11.2011 i.e. the date from which the persons junior to him have been promoted.
2. Notice of motion in the present case was issued on 01.02.2017.
3. Learned counsel for the respondents submits that since the petitioner was issued a charge-sheet dated 21.10.2009, which was culminated into the punishment order dated 21.09.2012, whereby the petitioner was awarded the punishment of stoppage of two annual increments without cumulative effect and when his juniors were promoted, he was under the currency of punishment, therefore, he could not be granted promotion w.e.f. 25.11.2011, when the persons junior to him were promoted.

4. On the other hand, learned counsel for the petitioners submits that the petitioner is entitled to be considered for promotion after the currency of punishment has come to an end. He submits that the petitioner has also served a legal notice dated 27.05.2016 (Annexure P-7) and appropriate directions may be issued to the respondents to consider and decide the said legal notice, by passing a speaking order in a time bound manner. He further submits that the petitioner shall also supplement the said legal notice.

5. In view of the above, respondent No.1-Chief Executive Officer, Punjab Water Supply & Sewerage Board, Punjab, Chandigarh is directed to consider and decide the claim made by the petitioner in the legal notice dated 27.05.2016 (Annexure P-7) and the fresh justice demand notice served by the petitioner, in accordance with law, by passing a speaking order, within a period of three months, from the date of receipt of certified copy of this order. In case, the petitioner is found held entitled, the necessary consequential benefits shall be released to him within a period of four weeks thereafter.

6. The petition stands disposed of, in the above terms.

18.03.2024
kothiyal

(NAMIT KUMAR)
JUDGE

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