



206

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

CWP-15707-2023

Date of decision: 31.05.2024

Kirna and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Raj Kumar Bhatia, Advocate for the petitioners.

Ms. Neha Sonawane, DAG, Punjab.

VIKAS BAHL, J. (ORAL)

1. This is a Civil Writ Petition filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to initiate the process of promotion of the petitioners to the post of Senior Assistant in parity with the similarly situated employees.

2. Learned counsel for the petitioners has submitted that the case of the petitioners is covered by the ***judgment dated 10.02.2023*** passed by the Division Bench of this Court in ***case bearing No.LPA-411-2017 titled as "State of Punjab and another Vs. Gulzar Singh and others"*** and has further submitted that the petitioners had given legal notice dated 17.12.2022 (Annexure P-3) and they would be satisfied at this stage, in case, the competent authority of respondent No.1-State is directed to consider the said legal notice dated 17.12.2022 (Annexure P-3) in a time bound manner and after taking into consideration ***Gulzar Singh's case*** (Supra) and in case, the pleas raised by the petitioners are found to be meritorious, then, to grant necessary relief, in



accordance with law.

3. Learned State Counsel has submitted that the competent authority of respondent No.1-State would consider the said legal notice dated 17.12.2022 (Annexure P-3), in accordance with law after taking into consideration ***Gulzar Singh's case*** (Supra), as expeditiously as possible, preferably within a period of two months from the date of receipt of certified copy of the present order.

4. Keeping in view the abovesaid facts and circumstances, the present Civil Writ Petition is disposed of with direction to the competent authority of respondent No.1-State to consider legal notice dated 17.12.2022 (Annexure P-3), in accordance with law after taking into consideration ***Gulzar Singh's case*** (Supra), within a period of two months from the date of receipt of certified copy of the present order and in case, the pleas raised by the petitioners are found to be meritorious, then, the competent authority would grant necessary relief, in accordance with law and in case, the competent authority is of the opinion that the pleas raised by the petitioners are not meritorious, then, a speaking order rejecting the same be passed within a period of two months from the date of receipt of certified copy of the present order.

5. This Court has not opined on the merits of the case and the competent authority of respondent No.1-State would consider the case of the petitioners independently, in accordance with law.

31.05.2024

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No