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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-16779-2024

Date of decision: 22.07.2024

SURENDER SINGH

...Petitioner

VERSUS

STATE OF HARYANA AND ORS.

...Respondents

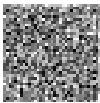
CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Sanjeev Kumar Bhar, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

1. The present writ petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ in the nature of *certiorari* for quashing impugned order dated 06.12.2017 (Annexure P-4), whereby the private respondents who are junior to the petitioner have been wrongly and illegally promoted from the post of Clerk to the post of Assistant which is against the Haryana Municipal Corporation Employees (Recruitment and Conditions) Service Rules, 1998 with a further prayer to direct the respondents to grant promotion to the petitioner on the post of Assistant from the date when his juniors were promoted after completion of 10 years of service on the post of Clerk along with all consequential benefits @ 18% interest.

2. Learned counsel for the petitioner submitted that the petitioner served a legal notice dated 27.03.2024 (Annexure P-8) to respondents No.1 to 3



but the same has not been considered and decided till date. He further submitted that at this stage, the petitioner will be satisfied in case the aforesaid legal notice dated 27.03.2024 (Annexure P-8) is considered and decided by respondents No.1 to 3 in accordance with law and in a time bound manner.

3. Notice of motion to respondents No.1 to 4 only at this stage.

4. On the asking of the Court, Ms. Rajni Gupta, Addl. A.G., Haryana, accepts notice on behalf of respondents No.1 to 4. She submitted that in view of the limited prayer made by learned counsel for the petitioner, she has no objection in case a time bound direction is issued in this regard.

5. In view of the aforesaid facts and circumstances, without calling for the reply from respondents No.1 to 4 and without expressing anything on the merits of the case, the present writ petition is disposed of with a direction to respondent No.3-Commissioner, Municipal Corporation, Hisar/competent authority to consider and decide the legal notice dated 27.03.2024 (Annexure P-8) strictly in accordance with law and within a period of three months from today.

22.07.2024
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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