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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CWP-20365-2024 (O&M)
Date of Decision: 23.08.2024

Harish Kumar

.....Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. Jai Bhagwan Sharma, 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 for issuance of a writ in the nature of *mandamus* directing the respondent No.2 to consider the candidature of the petitioner for promotion to the post of Regional Manager/Quality Control Manager, who is eligible and most suitable in accordance with qualification, experience, service rules and regulations as the said post is being occupied by the petitioner in officiating capacity since 03.05.2018 (Annexure P-6), 28.01.2019 (Annexure P-7) and 13.04.2021 (Annexure P-8) and also to direct the respondents No.1 & 2 to withdraw the advertisements (Annexure P-1 and P-2) for appointment for the post of Quality Control Manager and two posts of Regional Managers advertised by respondent No.3.
2. Learned counsel for the petitioner submitted that the petitioner restricts his claim only to the limited extent of deciding his representation



since in an identical case of one Shri Dev Raj, similar order has been passed with a direction to the concerned authorities to decide his representation and he will be satisfied in case his representation dated 17.05.2024 (Annexure P-13) will also be decided in accordance with law. He also referred to the order of a Co-ordinate Bench of this Court passed in CWP-12935-2024 in this regard.

3. Notice of motion.

4. On the asking of Court, Ms. Rajni Gupta, Addl. AG, Haryana, accepts notice on behalf of the respondents and states that she has no objection in case a direction is issued to the respondents for considering and deciding the representation filed by the petitioner vide Annexure P-13 in accordance with law.

5. In view of the aforesaid position, without calling for the reply from the respondents and without observing anything on the merits of the case, the present petition is disposed of with a direction to the respondent No.2 to consider and decide the representation filed by the petitioner vide Annexure P-13 dated 17.05.2024 in consultation with respondent No.3 strictly in accordance with law by passing a well-reasoned speaking order within a period of three weeks from today.

23.08.2024

rakesh

(JASGURPREET SINGH PURI)
JUDGE

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| 1. Whether speaking/reasoned: | Yes/No |
| 2. Whether reportable: | Yes/No |