



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

120

CWP No.21148 of 2024 (O&M)
Date of decision: 29.08.2024

Maninder Pal Singh Brar

....Petitioner

Versus

The Punjab State Cooperative Supply & Marketing Federation Limited

....Respondent

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Shiv Kumar, Advocate
and Mr. Lovedev Singh, Advocate
for the petitioner.

NAMIT KUMAR J. (Oral)

1. Prayer in this writ petition filed by the petitioner under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus, directing the respondents to consider the promotional case of the petitioner against the vacant post of Deputy Chief Manager and to direct the respondent to modify the order dated 26.12.2022 (Annexure P-8) whereby the illegal and arbitrary condition has been imposed upon the petitioner for not to consider the experience of higher post in violation of the Markfed Employees (Common Cadre) Rules, 1990 (Annexure P-1) and in alternative, to decide the representation dated 05.01.2023 (Annexure P-13) filed by the petitioner.

2. Learned counsel for the petitioner submits that in the year 2019, one Sanjeev Manaktala, who is immediate senior of the petitioner was promoted as Deputy Chief Manager despite there being two vacancies existed in General Category and the petitioner being eligible



to the post of Deputy Chief Manager, was denied the promotion. He further submits that the petitioner would be satisfied in case time bound directions are issued to the respondent to decide the representation dated 05.01.2023 (Annexure P-13) filed by the petitioner, by passing a speaking order.

- 3. Notice of motion.
- 4. Ms. Pushpanjali Bisht, Advocate for Mr. T.S. Sidhu, Advocate, accepts notice on behalf of the respondent and has no objection to the innocuous prayer made by learned counsel for the petitioner.
- 5. I have heard learned counsel for the parties and have gone through the record of the case.
- 6. Without going into the merits of the case at this stage, the present petition is disposed of with a direction to the respondent to decide representation dated 05.01.2023 (Annexure P-13), submitted by the petitioner expeditiously, by passing a speaking order, preferably within a period of 03 months from the date of receipt of certified copy of this order.
- 7. Liberty is granted to petitioner to supplement the representation dated 05.01.2023 (Annexure P-13), if so required.

(NAMIT KUMAR)
JUDGE

29.08.2024

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