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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CWP-23762-2024****Date of decision : 19.09.2024****Udmi Ram****...Petitioner****Vs.****State of Punjab and others****...Respondents****CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA**

Present: Mr. Nitesh Singla, Advocate for
for the petitioner.

*********DEEPAK MANCHANDA, J. (Oral)**

1. Petitioner has filed this writ petition under Article 226 of the Constitution of India for issuance of a writ in the nature of mandamus directing the respondents to promote him as Class-III employee (Bill Clerk) w.e.f. 25.08.2017 notionally from the date his juniors were promoted.

2. The grouse raised in the petition is that despite being eligible, petitioner was not promoted from Class-IV employee to Class-III (Bill Clerk) employee in view of letter dated 18.04.2017 (Annexure P-1), whereas vide order dated 25.08.2017 (Annexure P-2) many Class-IV employees were being promoted as Class-III employees, many of whom were even junior to the petitioner.

3. Learned counsel for the petitioner submits that respondent No.6- The Superintending Engineer, Ludhiana issued letter dated 18.04.2017 to all Executive Engineers, Water Supply and Sanitation Department, Punjab regarding promotion of Regular Staff Work-Charge, Class-IV employees to Regular Staff Work-Charge, Class-III employees. Since the letter dated



18.04.2017 was not received in the office respondent No.8/Executive Engineer, Malout the same could not be brought to the notice of the petitioner at that time. Due to this reason, petitioner was not promoted to Class-III (Bill Clerk), and even many employees who were junior to the petitioner have been promoted vide order dated 25.08.2017. He submits that petitioner made representation dated 26.08.2021 (Annexure P-3) and 06.07.2021 (Annexure P-4), but to no avail. He further submits that petitioner has also served legal notice dated 23.04.2024 (Annexure P-8), which is still pending consideration with respondents and the petitioner will be satisfied at this stage, in case a direction is issued to the respondents to decide the same by passing an appropriate speaking order in a time bound manner.

4. Notice of motion.

5. At this stage, on the asking of the Court, Ms. Neha Sonawane, DAG, Punjab, who is present in Court accepts notice on behalf of respondent-State. She submits that respondent No.2 is the competent authority to decide the legal notice and raises no objection in deciding the legal notice dated 23.04.2024 (Annexure P-8) in a time bound manner by passing an appropriate speaking order.

6. I have heard learned counsel for the parties and have gone through the record of the case.

7. In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioner in the legal notice, respondent No.2 is directed to decide the legal notice dated 23.04.2024 (Annexure P-8), by passing a speaking order within a period of eight weeks from the date of receipt of copy of this order and if there is no

impediment, let needful be done within a period of further eight weeks in accordance with law.

8. The petition stands disposed of.

(DEEPAK MANCHANDA)
JUDGE

19.09.2024
vanita

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No