



CWP-28563-2022 (O&M) -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

112+257

CM-17781-CWP-2024 in/&
CWP-28563-2022 (O&M)
Date of Decision :29.10.2024

Lakhvir Singh and others

...Petitioners

Versus

State of Punjab and another

..Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. D.S. Patwalia, Senior Advocate with
Ms. Sehar Navjeet Singh, Advocate for the petitioners.

Mr. Arun Gupta, DAG, Punjab.

* * *

Harsimran Singh Sethi, J. (Oral)

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As prayed for, application is allowed.

Annexure A-1 is taken on record.

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In the present petition, grievance being raised by the petitioners is that the petitioners were not considered for the grant of benefit of promotion on the ground that the services of the petitioners have been terminated and they are only continuing in service under the orders of the Court and till the said proceedings attains finality, the claim of the

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petitioners for further promotion cannot be considered.

Learned Senior counsel appearing for the petitioners submits that appointment of the petitioners was challenged in CWP-23575-2015 and connected matters and the said appointment of the petitioners was set aside, which order of the Single Bench was challenged before the Division Bench of this Court in LPA No.570-2020 wherein, the judgment of the Single Bench was stayed and now vide order dated 24.09.2024, the said LPA has been allowed and the appointment of the petitioners has already been held to be valid hence, the respondents are under an obligation to grant the petitioners benefit of promotion keeping in view the recommendations of the DPC, which has already come on record.

Learned counsel for the respondents submits that in case, the the issue with regard to the appointment of the petitioners has already attained finality, the claim of the petitioners for the grant of benefit of promotion will be considered keeping in view the recommendation of the DPC and in case, it is found that the petitioners are eligible for promotion, the said benefit will be granted in accordance with the recommendations of the DPC by passing an appropriate speaking order within a period of eight weeks from the date of the receipt of copy of this order otherwise, due reasons for not accepting the claim of the petitioners will be mentioned in the speaking order so passed, which order will be conveyed to the petitioners for their information and necessary action.

Learned Senior counsel for the petitioners submits that keeping in view the statement of learned counsel for the respondents, the present petition may kindly be disposed of having been not pressed any further.

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Ordered accordingly.

Civil miscellaneous application pending, if any, is also disposed
of.

October 29, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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