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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

**CWP-32735-2025 (O&M)
Date of decision: 11.11.2025**

Gurvinder Kaur

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

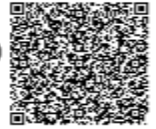
Present: Mr. Ravinder Malik, Advocate
for the petitioner.

Mr. Arun Singla, AAG, Punjab
for respondents No.1 & 5.

Mr. Prince Singh, Advocate
for respondents No.2 to 4.

HARPREET SINGH BRAR, J. (ORAL)

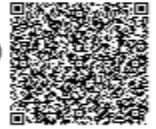
1. Present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *certiorari* seeking quashing of the proceedings/order dated 15.09.2025 (Annexure P-7) and further to direct the respondents to promote the petitioner to the vacant post of Assistant General Manager (Procurement & Warehousing) from due date, at par with her similarly situated employee, namely Raj Hans and to grant all the consequential benefits along with interest @18% per annum. It is



also prayed to direct the respondents not to fill up the vacant post of Assistant General Manager (Procurement & Warehousing) during pendency of the present petition.

2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner being a Senior Manager was recommended for promotion by Sub Committee on 17.04.2025, however, vide impugned proceedings/order dated 15.09.2025 (Annexure P-7), her promotion was deferred solely on the ground of a pending draft chargesheet dated 15.03.2022, which, till date, has not culminated into formal proceedings. In the same meeting held on 15.09.2025, another identically circumstanced employee, namely Raj Hans, against whom a draft chargesheet is pending, was considered and promoted. As such, action of the respondents is arbitrary, discriminatory and violative of Articles 14 & 16 of the Constitution of India. It is trite law that mere pendency of a draft chargesheet cannot be a bar to promote an employee. In this regard, learned counsel for the petitioner relies upon a judgment rendered by the Hon'ble Supreme Court in ***Union of India and others Vs. KV Jankiraman, (119) 4 SCC 109.***

3. Mr. Prince Singh, Advocate, who appears on advance notice on behalf of respondents No.2 to 4, is not in a position to controvert the factual position and submits that the petitioner has approached this Court without representing the respondent-Federation. He submits that the grievance raised by the petitioner in the present writ petition would be considered by respondent-Federation by passing a speaking order, in accordance with law.



4. Having heard learned counsel for the parties and after careful perusal of the record of the case with their able assistance, at this stage, this Court deem it appropriate to issue a direction to the respondents to treat the present petition as comprehensive representation and decide the same, in a time bound manner.

5. In view of the submissions made by learned counsel for the parties, present writ petition is disposed of and respondent No.2 is directed to treat this writ petition as a comprehensive representation and consider and decide claim of the petitioner and pass a speaking order. after affording an opportunity of hearing, within a period of two months from the date of receipt of certified copy of this order.

6. Further, the decision taken in the matter shall be conveyed to the petitioner. Needless to say, if the petitioner is found entitled to the relief sought, the same shall be granted to her forthwith by the competent authority.

7. All the pending miscellaneous application(s), if any, shall stand disposed of.

[HARPREET SINGH BRAR]
JUDGE

11.11.2025
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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No