



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

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**CWP-13180-2026 (O&M)
Date of decision: 30.04.2026**

Vikas and others

....Petitioners

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ravinder Singh Dhull, Advocate
for the petitioners.

Mr. Vikrant Pamboo, Addl. A.G., Haryana.

Mr. Prince Singh, Advocate for
respondents No.3 to 6.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of *certiorari*, for quashing the impugned order dated 27.03.2026 (Annexure P-9) passed by respondent No.3. Further a writ of *mandamus* has been sought, directing the respondents/authorities to consider the case of the petitioners for promotion to the post of Clerk (Lipik) strictly in accordance with the seniority as reflected in the Final Seniority List dated 19.03.2026 and in accordance with Rule 9(1)(xiv) read with Rule 9(2) and Rule 11 of the Haryana Municipal Service (Integration, Recruitment & Conditions of Service) Rules, 2010.



2. Learned counsel for the petitioners has, *inter alia*, contended that the Haryana Staff Selection Commission issued Advertisement No.04/2018 dated 26.08.2018 for filling up 18,218 posts of Group-D as is evident from Annexure P-1. Pursuant thereto, the petitioners were appointed as Peons vide appointment letters dated 25.01.2019 and 30.01.2019. It is further contended that respondent No.9/Naresh Kumar was appointed subsequently as Mali on 13.07.2020 from the waiting list of the same advertisement and he joined Municipal Council, Bhiwani on 15.12.2021. It is submitted that a tentative seniority list was issued on 25.02.2026 and thereafter, a final seniority list dated 19.03.2026 was issued, wherein the petitioners were placed at Sr. Nos.5, 6 and 7, whereas the private respondents were placed below them at Sr. Nos.8, 11 and 22. Despite the settled seniority position, the respondents issued the impugned promotion order dated 27.03.2026 (Annexure P-9), whereby respondent Nos.7, 8 and 9, namely Dinesh Kumar, Dinesh and Naresh Kumar, were promoted to the post of Clerk by superseding the petitioners. It is further contended that the Executive Officer had recommended the case of petitioner No.1 for promotion on 27.03.2026 certifying his eligibility, completion of seven years' service and possessing seven consecutive 'Outstanding' ACRs, however, the same has been ignored. It is submitted that the petitioners submitted a joint representation dated 30.03.2026 (Annexure P-14) as well as individual representations dated 01.04.2026 (Annexure P-15), however, the same have not been decided till date.



2.1. Learned counsel for the petitioners submits that he would be satisfied if the joint representation dated 30.03.2026 (Annexure P-14) and the individual representation dated 01.04.2026 (Annexure P-15) filed by the petitioners is decided by respondent No.3 by passing a speaking order in a time bound manner.

3. Learned State counsel as well as learned counsel for respondents No.3 to 6, appearing on advance notice, have argued that they have no objection, in case a direction is issued to respondent No.3 for time-bound consideration and decision of the joint representation dated 30.03.2026 (Annexure P-14) and the individual representation dated 01.04.2026 (Annexure P-15) submitted by the petitioners by passing a speaking order.

4. Therefore, in view of the limited prayer made by learned counsel for the petitioners, the present petition is disposed of with a direction to respondent No.3 to consider the joint representation dated 30.03.2026 (Annexure P-14) and the individual representation dated 01.04.2026 (Annexure P-15) filed by the petitioners and pass a speaking order in the light of the Instructions dated 06.04.2016 (Annexure P-16) and the judgment rendered by the Hon'ble Supreme Court in ***State of Haryana vs Rajbir Singh, 2024 INSC 549***, after affording an opportunity of hearing to the petitioners, within a period of 03 months from the date of receiving a certified copy of this order. Further, the decision taken thereof shall be conveyed to the petitioners. Needless to



say, if the petitioners are found entitled to the relief sought, the same shall be granted forthwith by respondent No.3.

(HARPREET SINGH BRAR)
JUDGE

30.04.2026

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