

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

CWP No.20313-2020

Date of Decision: 27.11.2020

Niranjan Singh

...Petitioner

Vs.

State of Haryana and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Jai Bhagwan Sharma, Advocate,
for the petitioner.

Ms. Ranjana Shahi, Additional A.G., Haryana.
(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Petitioner seeks issuance of a writ in the nature of mandamus directing the respondents to grant deemed date of appointment with all consequential benefits to the petitioner w.e.f. 12.04.1990 and fix his seniority and pay at par with his juniors keeping in view judgment dated 17.07.2018 passed by this Court contained at Annexure P-2.

2. Learned counsel for the petitioner submits that respondent No.2 has granted promotion to the similarly situated employees but the same benefit has not been accorded to the petitioner. Respondent No.2 has implemented judgment dated 17.07.2018 (Annexure P-2) and granted seniority vide letter dated 28.03.2019 (Annexure P-3), contends the learned counsel.

3. Learned counsel further submits that gradation list was circulated by respondent No.2 as on 31.07.2020 in which petitioner has been placed at Sr. No.27 whereas, his juniors have been placed higher at Sr. Nos.6, 7 and 10. Aggrieved, petitioner caused issuance of a legal notice dated 19.10.2020 (Annexure P-6) to respondent No.2. The same has not been adverted by the respondents till date. Hence, the instant petition.

4. Notice of motion.

5. Ms. Ranjana Shahi, Additional A.G., Haryana, who has joined proceedings on service of advance copy of this petition appears and accepts notice on behalf of the respondent-State of Haryana.

6. Given the nature of order being passed, there is no necessity to seek return by any of the respondents, as no further proceedings and/or pleadings are required.

7. Without commenting anything on the merits of the case, the writ petition is disposed of with a direction to the competent authority to look into the grievance of the petitioner as per legal notice dated 19.10.2020 (Annexure P-6) and also by keeping in view the contentions stated in the present petition by treating the same as supplementary representation and decide the same by passing a speaking order.

8. Let the needful be done within a period of three months from today.

9. In case, petitioner is found entitled to the benefits as claimed by him on parity with the other similarly situated employees, the same shall be accorded to him within 60 days of passing aforesaid speaking order.

NOVEMBER 27, 2020
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:
Whether reportable

Yes/No
Yes/No