

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

**CWP No.1259 of 2015
Date of Decision: 27.01.2015**

Yogesh Chander

... Petitioner

Versus

Punjab State Power Corporation Ltd. and another

... Respondents

CORAM: HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present: Mr. J. S. Jaidka, Advocate
for the petitioner.

HARINDER SINGH SIDHU, J(ORAL)

The petitioner joined respondent-Corporation as Lineman. Certain persons were promoted as Junior Engineer as per seniority list vide order dated 19.08.1986. However, the petitioner was not so promoted. Aggrieved he filed a Civil Suit and the suit was decreed in his favour. He was held entitled to be considered as Junior Engineer-II w.e.f. 19.08.1986 i.e. the date junior to him was promoted. It is the case of the petitioner that thereafter no seniority list of Junior Engineers was circulated in the office. It was only on 16.02.2012 that tentative seniority list of Junior Engineer was prepared. Even that was not circulated and to the knowledge of the petitioner no final list was prepared. In the tentative seniority list the petitioner has been shown to be promoted as Junior Engineer on 25.08.1986.

Further promotions were made for the post of Assistant Engineer on basis of tentative list and one Inder Pal was promoted as Assistant

Engineer w.e.f. 03.01.2013.

It is the case of the petitioner that Sh. Inder Pal was shown in the tentative seniority list as having been promoted as Junior Engineer w.e.f. 19.08.1986. The promotion of petitioner was wrongly referred as being w.e.f. 25.08.1986 by ignoring the correct date of promotion which according to judgment and decree passed in the Civil Suit was 19.08.1986. It is thus contended that the petitioner was also entitled to be promoted as Assistant Engineer alongwith Inder Pal.

The petitioner has superannuated on 28.02.2013.

The petitioner has submitted representation (Annexure P4) claiming that he is entitled for promotion as Assistant Engineer w.e.f. 03.01.2013 according to his correct date of promotion as Junior Engineer i.e. 19.08.1986.

Learned counsel for the petitioner submits that he would be satisfied if a direction is issued to respondent-Corporation to consider the claim of the petitioner as spelled out in the representation dated 25.04.2014 (Annexure P-4) within a stipulated period.

Accordingly, the present writ petition is disposed of with a direction to respondent-Corporation to consider the claim of the petitioner as stated in the representation dated 25.04.2014 (Annexure P-4) and dispose of the same expeditiously, preferably within a period of three months from the date of receipt of certified copy of the order.

(HARINDER SINGH SIDHU)
JUDGE

27.01.2015
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