

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

CWP No.16139 of 2015

Date of Decision: 06.08.2015

Darshan

....Petitioner

Versus

State of Haryana and others

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Johan Kumar, Advocate
for the petitioner.

DAYA CHAUDHARY, J. (ORAL)

The grievance of the petitioner, in the present petition, is that he was appointed as *Mali-cum-Chowkidar* on daily wage basis vide order dated 01.07.1992 and was regularized w.e.f. 01.02.1996 to the post of Electrician Helper. The next promotion from the post of Electrician Helper is to the post of Electrician.

Learned counsel for the petitioner submits that respondents No.5 and 6 have been re-designated to the post of Electrician Helper from the back date i.e 01.02.1996, whereas, the petitioner is working on this post for the last about 20 years. Learned counsel for the petitioner further submits that by re-designation of respondents No.5 and 6 as Electrician Helper, the petitioner will become junior to them.

A writ of *mandamus* has been sought to be issued to the respondents to reconsider the case of respondents No.5 and 6 for change of their re-designation.

Without moving any representation to the authorities

concerned, the petitioner has filed the present petition as nothing has been placed on record to show that any representation has been moved to the respondents. Although, learned counsel for the petitioner submits that he has prayed for quashing of order of re-designation of respondents No.5 and 6 only on the basis of apprehension that said persons will be senior to the petitioner and the interest of the petitioner is going to be affected by their re-designation. Unless some representation is made to the authorities concerned, no direction can be issued.

However, the petitioner is at liberty to move representation to the authorities concerned.

In case, the representation is made, the respondents are directed to consider the same.

The petition is disposed of accordingly.

06.08.2015
gurpreet

(DAYA CHAUDHARY)
JUDGE