

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

CWP No. 23024 of 2015

DATE OF DECISION :- December 02, 2015

S.K. Aggarwal

...Petitioner

Versus

Union Territory, Chandigarh Administration and others.

...Respondents

CORAM: HON'BLE MR.JUSTICE M.JEYAPPAUL

HON'BLE MR. JUSTICE DARSHAN SINGH

Present:- Mr. N.P. Mittal, Advocate for the petitioners.

1. Whether Reporters of local papers may be allowed to see the judgment? Yes/No
2. To be referred to the Reporters or not? Yes/No
3. Whether the judgment should be reported in the digest? Yes/No

M.JEYAPPAUL, J.

1. The petitioner S.K. Aggarwal has challenged the rejection of his claim for seniority and other consequential benefits from 21.2.1989, the date when he was promoted on adhoc basis despite his regular promotion given on 5.5.1999.

2. Heard the submissions made by learned counsel appearing for the petitioner.

3. The fact remains that the petitioner was promoted on ad hoc basis in public interest on 21.2.1989 against a vacancy meant for direct recruitment and not against a vacancy arising for promotion

from his own AMIE quota. The moment a vacancy had arisen in the 4th Cycle meant for AMIE quota, the petitioner was regularly promoted on 5.5.1999 and consequential seniority from that date was given to him.

4. The petitioner, who has been promoted on ad hoc basis to occupy a post meant for direct recruitment in public interest has to wait for his regular promotion against his own AMIE quota. There is no dispute to the fact that AMIE quota is fitted in 4th Cycle. As per the service Rule, he cannot claim seniority from the date when he was promoted just on adhoc basis against the vacancy of direct recruitment.

5. In our considered view, the Tribunal has rightly rejected the plea of the petitioner for seniority and consequential benefits w.e.f. 21.2.1989, the day when he was promoted on ad hoc basis against direct recruitment quota.

6. There is no merit in the Writ Petition and, therefore, it stands dismissed.

**(M. JEYAPPAUL)
JUDGE**

**(DARSHAN SINGH)
JUDGE**

December 02, 2015

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