

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

**CWP No.24467 of 2015
Date of decision:20.11 2015**

Jaswinder Singh

... Petitioner

Versus

State of Punjab & ors.

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. BD Sharma, Advocate,
for the petitioner.

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J.(Oral)

This petition is premature as the persons junior to the petitioner have not been promoted yet. The petition has been filed in the background that the petitioner has retired from service, but vacancies in the higher cadre were available prior to his retirement and the cases of promotion of persons junior to him who are still in service are in the pipeline and they are likely to be promoted to the higher post. This petition has been filed on an apprehension or on a contingency yet to happen and is not an accomplished fact. In case promotions are made of his juniors against the vacancies available prior to the retirement of the petitioner and one such vacancy was available to accommodate his claim prior to retirement then the petitioner is at liberty to then make a representation to the Government for being accorded similar treatment to remove discrimination in the matter of promotion retrospectively. It will be the petitioner's option either to represent to the Government or to

approach this Court directly in writ jurisdiction when the right to promotion becomes a matured right, if the event occurs.

In view of above position, this petition is disposed of as premature with the liberty as above which the petitioner had even if he had not approached this Court today.

20.11.2015

monika

(RAJIV NARAIN RAINA)
JUDGE