

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA No.1741 of 2015 (O&M)

Date of decision: December 09, 2015.

HARYANA POWER GENERATION CORPORATION LTD. AND ANR.

... **Appellants**

v.

SUDESH KUMAR

... **Respondent**

1. Whether Reporters of local papers may be allowed to see the judgment ?
2. Whether to be referred to the Reporters or not ?
3. Whether the judgment should be reported in the Digest?

CORAM: **HON'BLE MR. JUSTICE HEMANT GUPTA**
HON'BLE MRS. JUSTICE RAJ RAHUL GARG

Present: Shri Hitesh Pandit, Advocate, for the appellants.

Hemant Gupta, J. (oral)

The present Letters Patent Appeal under Clause X of the Letters Patent is directed against an order passed by a learned Single Bench of this Court on 8.4.2015 whereby the writ petition was allowed when the impugned order dated 9.10.2007 was quashed and the appellants were directed to consider the claim of the writ petitioner and grant him retrospective promotion and release the salary as Turbine Operator.

Admittedly, the writ petitioner has been granted retrospective promotion to the post of Plant Attendant from 11.1.1985. Consequently, the writ petitioner would be entitled to be considered for promotion to the post of Turbine Operator from the date his junior was promoted as Turbine Operator.

Once the writ petitioner has been granted retrospective

promotion to the post of Plant Attendant, promotion to the post of Turbine Operator from the date his junior was promoted, has been rightly ordered to be considered by the learned Single Bench. The writ petitioner has not been granted such benefit for the reason that he has retired in the meantime. Even after retirement, the petitioner is to be considered for notional promotion and consequential financial benefits.

We do not find any error in the order passed by the learned Single Judge which may warrant interference in this appeal.

Dismissed.

[Hemant Gupta]
Judge

[Raj Rahul Garg]
Judge

December 09, 2015.
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