

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

**Civil Writ Petition No.11760 of 1996 (O&M)
Date of decision: 28.07.2016**

Baljit Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Kanwaljit Singh, Senior Advocate assisted by
Ms. Gurdeep Kaur, Advocate for the petitioner(s).

Mr. Vaibhav Sharma, Deputy Advocate General, Punjab
for respondent Nos.1 and 2.

Mr. K.S.Kang, Advocate assisted by
Mr. Ashok Vij, Law Officer for the Municipal Committee,
Patiala (respondent No.3).

JASWANT SINGH, J. (Oral)

The petitioner was employed as a Lineman in April, 1997 with the then Municipal Committee, Patiala (now Municipal Corporation, Patiala). His services were terminated in October, 1978 and pursuant to an award dated 07.05.1980 of the Labour Court, the petitioner was adjusted against the post of Pump Driver, vide order dated 16.06.1987.

The claim of the petitioner is for promotion to the rank to that of Electrical Foreman as it is claimed that he is eligible and also performing the job of the post since long.

Upon notice, reply on behalf of contesting respondent No.3/Municipal Corporation, Patiala has been filed. It is, *inter alia*, stated that the petitioner does not fulfill the qualification prescribed for the post of Electrical Foreman and hence cannot be promoted.

At the time of hearing, learned Counsel for the contesting respondent No.3/Municipal Corporation, Patiala submits that during the pendency of the present writ petition, the petitioner was promoted as Junior Engineer and posted at Ludhiana and stands retired on attaining the age of superannuation w.e.f. 31.03.2012. He thus submits that the grievance of the petitioner for providing a promotion channel stood redressed. Hence, the present writ petition has become infructuous.

In view of the stand of the Municipal Corporation, the present petition is dismissed as infructuous. However, if any factual error has occurred then the petitioner shall be entitled to seek the recalling of the present order within four months from today.

July 28, 2016

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(JASWANT SINGH)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>No</i>