

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

**Civil Writ Petition No.14175 of 1996 (O&M)
Date of decision: 28.07.2016**

Puran Ram

..... 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 is stated to be employed as Pump Driver keeping in view of his qualifications with the Municipal Committee, Patiala (now Municipal Corporation, Patiala) since 17.10.1977.

By filing the present petition, the petitioner is praying for issuance of a mandamus for his promotion to the post of Mechanical Foreman to remove the stagnation in service and also in view of his eligibility.

Upon notice, a reply has been filed on behalf of the contesting respondent No.3. In the reply, it is stated that there is no channel of promotion from the post of Pump Driver/Pump Operator to that of Mechanical Foreman.

At the time of hearing, learned Counsel for the contesting respondent No.3/Municipal Corporation, Patiala states that during the pendency of the present petition, the petitioner was promoted as a Fitter in the year 1997 and he has retired from that rank on attaining the age of superannuation w.e.f. 31.05.2006. 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

Gagan

(JASWANT SINGH)
JUDGE

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