

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

C.W.P. No. 16928 of 1996 (O&M)

Date of decision : 27.04.2016

Satvir Singh

...Petitioner

versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. T.C. Saini, Advocate,
for the petitioner.

Mr. Hitesh Pandit, Addl. A.G., Haryana.

Mr. R.K. Malik, Senior Advocate,
with Mr. Mandeep Singh, Advocate,
for respondent Nos. 4 to 10, 12 to 15 and 17.

RITU BAHRI, J. (Oral)

The petitioner is seeking to quash the order dated 27.05.1996 (Annexure P-18) passed by the Commissioner & Secretary to Government of Haryana, Forest Department, whereby representation of the petitioner for granting him regular promotion on the post of Senior Scale Stenographer w.e.f. 27.09.1984 to 03.06.1990 has been rejected.

After qualifying the departmental examination, the petitioner was appointed/promoted as Senior Scale Stenographer on adhoc basis vide order dated 27.09.1984 (Annexure P-3). In the said order, there was a condition that his promotion was for six months or upto the arrival of candidates from Service Selection Board, Haryana. Thereafter, vide order dated 09.09.1985 (Annexure P-5), the order of promotion (Annexure P-3) was amended and instead of adhoc, it was stated that the promotion was on temporary basis. Ultimately, vide order dated 02.08.1990 (Annexure P-13),

the petitioner was given regular promotion.

Official respondent Nos.1 to 3, in their written statement, have taken a stand that initial adhoc promotion of the petitioner was subject to the appointment of regularly selected candidates by the Subordinate Service Selection Board. In reply to para No.7 of the petition, it is stated that the candidates, who were directly recruited through Subordinate Service Selection Board during 1987-1988 had joined and had to be given seniority as per rules. After appointment of the direct candidates, the petitioner had rightly been granted promotion vide order dated 02.08.1990 (Annexure P-13) and he does not entitle to get regular promotion w.e.f. 27.09.1984. It has been further stated that the department had taken a decision on 24.10.1985 (Annexure R-1) that at the time of granting adhoc promotion to the petitioner, there were several senior Steno-typists/adhoc Stenographers in the Forest Department, therefore, it was not proper to make regular order of such an adhoc official.

The petitioner has not file any replication to the written statement of respondent Nos.1 to 3 to contradict the statement of fact that regularly selected candidates had joined in the years 1987-1988. Since as per promotion order dated 27.09.1984 (Annexure P-3), there was condition that the adhoc promotion was upto the arrival of regularly selected candidates, the petitioner cannot be given the benefit of adhoc promotion as per the said order.

No merits.

Dismissed.

27.04.2016
ajp

(RITU BAHRI)
JUDGE