

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

**C.W.P No. 18996 of 1995
Date of decision : 29.02.2016**

Ravinder Singh

...Petitioner

versus

State of Haryana & another

..Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Chirag Kundu, Advocate for
Mr. R.S. Kundu, Advocate
for the petitioner.

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

RITU BAHRI , J. (Oral)

By way of present writ petition, petitioner is seeking quashing of impugned order dated 12.12.1995.

Petitioner was appointed as Battery Attendant by respondent No. 2 and subsequently he made a request to respondent No./ 2 for charge of his cadre to that of a Conductor, as per Rules/Instructions. Respondent No. 2 wrote a letter dated 18.05.1995 to respondent No. 1 for consideration of the case of the petitioner for appointment as Conductor, in case he fulfills the conditions for appointment as Conductor. Petitioner was subsequently designated as Conductor from the post of Battery Attendant, vide order dated

11.07.1995. This appointment of the petitioner was cancelled vide letter dated 12.12.1995 and he was again made as Assistant Battery Attendant. Petitioner is relying upon the appointment of Kailash Nath on the post of Conductor, whose designation has also been changed.

On notice written statement has been filed on behalf of respondent Nos. 1 and 2 taking a stand that the designation of the petitioner was changed from the post of Assistant Battery Attendant to that of Conductor, on his request (P-2) but in this order it has clearly been mentioned that he can be reverted to the post of Assistant Battery Assistant without assigning any reason/notice.

With regard to the case of Kailash Nath, it has been stated that this matter was referred to respondent No. 1 and decision will be taken soon as there were old cases where officials had been working after the change of their designation for more than 2 years. The case of the petitioner was the latest one.

The present petition was admitted on 30.04.1996 and the stay was also vacated.

Further learned counsel has not been to cite any rules/instructions with regard to change of cadre.

Further when the cadre of the petitioner was changed to the post of Conductor, it was clearly mentioned that he can be reverted any time, without affording any opportunity to the petitioner.

Learned counsel for the petitioner submits that the petitioner is in no longer touch with him.

The petitioner was appointed way back in the year 1995 and 21 years have also gone by and no replication has been filed on behalf of the petitioner as well, which shows that he has admitted the fact that in his order (P-2) there was a condition that he can be reverted any time without issuing any notice to him.

In view of the above factual position, the present petition is dismissed.

(RITU BAHRI)
JUDGE

29.02.2016

G Arora