

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

Date of decision: 13.07.2016

CWP No.4192 of 1995

Sohan Lal Tanwar

...Petitioner

Vs.

State of Haryana & another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: None for the petitioner.

Ms. Shruti Jain Goyal, AAG, Haryana.

1. *To be referred to the Reporters or not?*
2. *Whether the judgment should be reported in the Digest?*

RAJIV NARAIN RAINA, J. (ORAL)

On 22.04.2015, the following order was passed:

“Today, Varinder Kumar, who is son of the petitioner has appeared in person and stated that the petitioner – Sohan Lal Tanwar has died. He seeks a short adjournment to move the necessary application for impleadment and to engage a counsel in place of Shri K.K.Jagia, the original counsel of the petitioner, who is also stated to be expired during the pendency of the petition.

Adjourned sine die.

In the meanwhile, necessary application for impleadment be filed.”

No one has come forward to make an application for impleading LRs. In any case, the petitioner seeks notional promotion to the post of Tehsildar with all consequential benefits w.e.f. 18.09.1984 and it is

an admitted fact that he never passed the departmental examination required for holding the post of Tehsildar. He was ineligible.

In view of the said fact, the present petition is dismissed.

In case, the son of the petitioner, who appeared in this case on the last date of hearing, has any further grievance, he is at liberty to approach this Court for revival of the petition supported by case law that even when a person is not eligible under the Rules, but still has to be promoted as a matter of right.

13.07.2016
Vimal

[RAJIV NARAIN RAINA]
JUDGE