

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.5189 of 1996

Date of Decision: 01.03.2016

Darshan Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: None for the petitioner.

Mr. Harkesh Manuja, Addl. AG, Punjab.

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

RAJIV NARAIN RAINA, J. (Oral)

1. The defence of the State in the written statement is that the petitioner was never appointed as a Clerk but as a PBX Operator. However, there are no avenues of promotion for PBX Operators under the rules.

2. Though his case for promotion as a Clerk was sent for consideration of the State Government w.e.f. September 06, 1982 by the Raj Bhawan, Punjab, Chandigarh but the Government after careful examination of the proposal had not approved it. In the absence of promotional avenues in the rules, it would not be possible to interfere in this matter since the Court cannot create a promotional avenue where none exists.

3. Dismissed.

**(RAJIV NARAIN RAINA)
JUDGE**

01.03.2016

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