

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

**Civil Writ Petition No.4343 of 1999 (O&M)
Date of decision: 28.07.2016**

Tara Puri and others

..... Petitioners

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).

None for respondent Nos.4 to 8.

JASWANT SINGH, J. (Oral)

The 03 petitioners, namely, Tara Puri, Kaur Singh and Swaran Singh, on account of their engagement for long periods as Beldars on daily wages were regularized w.e.f. 07.05.1991 as skilled helpers.

By filing the present petition, they have laid challenge to the Resolutions dated 12.08.1998 and 15.03.1999, passed by the erstwhile Municipal Committee, Patiala (now Municipal Corporation, Patiala), whereby the alleged juniors/private respondent Nos.4 to 8 i.e. Rajinder Singh, Labh Singh, Dukhi Ram, Dev Nath and Desa Singh have been promoted as Plumbers.

In the reply filed by respondent No.3/Municipal Council, Patiala (now Municipal Corporation, Patiala), it is asserted that the private

whereas three petitioners were so appointed on 07.05.1991 and thus cannot be accepted to be juniors to the petitioners.

At the time of hearing, an affidavit dated 28.07.2016 of Sh. Parminder Singh Gill, Commissioner, Municipal Corporation, Patiala has been filed in the Court, which is taken on record. Copy of the same has been supplied to learned opposite Counsel.

In the reply, it is stated that all the three petitioners have now been promoted to the next higher post, re-designated as Junior Technicians, w.e.f. 04.11.2011.

Learned Counsel for the contesting respondent No.3/Municipal Corporation, Patiala submits that the primary grievance of the petitioners qua lack of promotional avenues stands redressed as all the three petitioners were subsequently promoted on 04.11.2011 to a higher/re-designated post as Junior Technician. He thus submits that nothing more requires to be adjudicated in the present writ petition. 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

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(JASWANT SINGH)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	No