

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

**Civil Writ Petition No.9009 of 1997 (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).

Respondent No.4 proceeded ex parte,
vide order dated 05.12.1997.

JASWANT SINGH, J. (Oral)

The 3 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 way of the present petition, they are seeking a mandamus to the erstwhile Municipal Committee, Patiala (now Municipal Corporation, Patiala) for their promotion to the post of Plumbers against the existing vacancies. Further challenge is for setting aside the promotion of respondent No.4 as Plumber on the ground that he is junior to the petitioners.

Qua respondent No.4-Ram Singh, it is stated that he had been working as a skilled helper since 20.12.1973 whereas the petitioners were

regularized as skilled helpers only in the year 1991 and, therefore, cannot claim that they are seniors to respondent No.4.

At the time of hearing, 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

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>No</i>