

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

**IOIN-Civil Writ Petition No.11941 of 1995
Date of Decision: 03.12.2016**

Surinder Pal

..... Petitioner

Versus

The State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present:- None for the petitioner(s).

Mr. Harkesh Manuja, Additional Advocate General, Punjab
for respondent Nos.1 and 2/State assisted by
Sh. Binder Singh, Senior Assistant, Department of Irrigation,
Punjab.

Respondent Nos.3, 4 and 6 proceeded against *ex parte*
vide order dated 15.04.1996.

None for respondent No.5.

JASWANT SINGH, J. (Oral)

The petitioner was appointed as Draftsman on *ad hoc* basis w.e.f. 04.02.1982. His services were regularized vide order dated 30.06.1995 with effect from the date of his initial *ad hoc* appointment, however, vide order dated 18.07.1995, the promotion orders were kept in abeyance awaiting a final decision by the Government. It transpires that the Government/Department vide memo dated 17.11.1995 (**Annexure R-4**) directed that the employees (including the petitioner) were entitled to regularization from the date of their regularization in terms of the Regularization Policy.

In the present petition, the petitioner is claiming consideration for promotion to the post of Divisional Head Draftsman with effect from the date, his juniors were promoted.

Upon notice, a reply has been filed, wherein it is stated that the said juniors are factually senior to the petitioner and the claim of the petitioner of seniority is based upon counting of his *ad hoc* service, which he is not legally entitled. It is asserted that as per the finalized seniority list, no person junior to the petitioner has been promoted and the claim of the petitioner, based on Sr. No.1266, is far away in the line of promotion.

At the time of hearing, learned State Counsel, assisted by Sh. Binder Singh, Senior Assistant, submits that the present petition has become infructuous as the petitioner was subsequently promoted as Divisional Head Draftsman on 20.11.2013 and thereafter promoted as Circle Head Draftsman on 29.01.2016, based on his assigned seniority. He has also been superannuated on 31.01.2016.

In view of the stand of the State, the present petition stands dismissed as infructuous.

December 03, 2016

Gagan

**(JASWANT SINGH)
JUDGE**

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