

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

1. CWP No.11961 of 2013

Parveen Kumar Mehra

... Petitioner

Versus

Haryana State Electronics Development
Corporation Limited and another

... Respondents

2. CWP No.13892 of 2013 (O&M)

Ramesh Malhotra

... Petitioner

Versus

Haryana State Electronics Development
Corporation Limited and others

... Respondents

Date of Decision: 19.08.2016

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

Present: Mr. Chander Shekhar, Advocate,
for the petitioner.

Mr. Aman Chaudhary, Advocate,
for respondent No.1.

RAJIV NARAIN RAINA, J.

This order will dispose of CWP No.11961 of 2013 titled *Parveen Kumar Mehra v. Haryana State Electronics Development Corporation Limited and another* & CWP No.13892 of 2013 titled *Ramesh Malhotra v. Haryana State Electronics Development Corporation Limited and others* as common issues are involved which can be disposed of by

common order. There is no need to dwell on the facts of the cases in view of

the statement made by Mr. Chaudhary appearing for the Corporation supported by the preliminary submission No.1 in the written statement of the Corporation and document at Annex R-1.

Mr. Chaudhary appearing for the respondent-Corporation draws attention of this Court to the motion order dated May 28, 2013 which reads as follows:-

“Learned counsel for the petitioner submitted that in the seniority list of Deputy Engineers as circulated on 13.2.2013, the petitioner is shown at Sr. No. 15. The respondent no. 2 is shown at Sr. No. 6 in the seniority list of Assistant Engineers which is a feeder cadre of Deputy Engineers. He has been promoted in terms of judgment and decree passed in his favour by the Civil Court whereby he has been directed to be placed above Mr. S. C. Gupta, who is shown at Sr. No. 8 in the seniority list of Deputy Engineers. Once the petitioner, who is senior to respondent no. 2, was likely to be affected by the claim of seniority made by respondent no. 2, he was required to be impleaded as defendant in the suit filed by him, but was not impleaded. With the promotion of respondent no. 2, the petitioner has been adversely affected as person junior to him has now been promoted on a higher post by reverting the petitioner. In fact, there is no need to revert the petitioner as at present six posts of promotion quota are lying vacant.

Notice of motion for 9.9.2013.

In the meantime, status quo regarding services of the petitioner shall be maintained.”

He submits that the two out of the six posts of promotion quota lying vacant were revived and both the petitioners have been adjusted against those two posts. Therefore, the issue crystalized by the learned Single Judge in the interim order stands answered.

The petitions have thus been rendered infructuous and are disposed of as such.

(RAJIV NARAIN RAINA)
JUDGE

19.08.2016
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No