

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

CWP No. 18601 of 2013 (O&M)

Date of decision: 23.9.2016

Ran Singh

.... Petitioner

VS

State of Haryana and others

.... Respondents

**Coram: Hon'ble Mr. Justice Rajesh Bindal**

Present: None for the petitioner.

Mr. Ankur Mittal, Additional Advocate General, Haryana.

Mr. R. S. Kundu, Advocate, for respondent no. 3.

Mr. Raman B. Garg, Advocate, for respondent no. 5.

**Rajesh Bindal, J.**

The petitioner, who was appointed as Safai Mazdoor in Municipal Council, Karnal, vide appointment letter dated 7.1.1997, has filed the present petition impugning the promotion of respondent no. 5. Further, direction has been sought for considering the case of the petitioner for promotion from the date his juniors were promoted.

Learned counsel for respondent no.5 submitted that though his promotion is sought to be challenged, however, order of promotion has not been placed on record. The petitioner is not eligible to be promoted as Clerk from the post of Safai Mazdoor in terms of the Haryana Municipal Safai Mazdoor Service Rules, 1976.

Be that as it may, as the order of promotion of respondent no.5, which is sought to be challenged has not been placed on record and the petitioner is seeking his promotion from the post of Safai Mazdoor to that of Clerk, the present petition is disposed of with liberty to the petitioner to represent to the competent authority for consideration of his case as there is nothing on record to point out that the petitioner ever made any representation for seeking the relief prayed for in the present petition and further that he is eligible for the same as per Rules applicable for the promotional post.

23.9.2016  
vs

(Rajesh Bindal)  
Judge

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No