

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No. 14572 of 2016 (O&M)
Date of Decision: 25.07.2016.

Sant Lal & others

--Petitioners

Versus

State of Haryana and others

--Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. J.S. Saneta, Advocate for the petitioners.

TEJINDER SINGH DHINDSA.J

Challenge in the instant petition is to an order dated 11.7.2016 (Annexure P-7), passed by the Engineer-in-Chief, Irrigation and W.R. Department, State of Haryana in terms of which the claim of the present petitioners, who are serving as Canal Patwaris seeking promotion to the post of Assistant Revenue Clerks on the strength of 20% reservation for S.C category, has been declined.

In the impugned order it has been made clear that Chief Secretary to Govt. of Haryana had issued instructions dated 15.5.2015 providing for 20% reservation in promotion with consequential seniority to S.C category employees in Class-III and Class-IV posts. Counsel appearing on behalf of petitioners, during the course of hearing would concede that this Court vide order dated 27.5.2015 passed in ***CWP No.11073 of 2015*** titled as ***Dinesh Kumar Sharma and another Vs. State of Haryana*** had stayed the operation of the instructions dated 15.5.2015. Subsequently, the State of Haryana itself issued instructions dated 29.12.2015, whereby keeping in abeyance the benefit envisaged under the earlier instructions dated 15.5.2015.

Under such circumstances, the prayer made and raised by the petitioners herein for grant of benefit of 20% reservation in the promotional post, cannot be accepted. No infirmity, as such, is found even in the impugned order dated 11.7.2016 at Annexure P-7.

Faced with such a situation, counsel prays for withdrawal of the petition with liberty to approach this Court afresh in the eventuality of ***CWP No.11073 of 2015 Dinesh Kumar Sharma & another Vs. State of Haryana*** being dismissed and the instructions dated 15.5.2015 providing for such reservation issued by the State of Haryana being revived and being put into operation.

As per prayer made by the counsel present petition is disposed of as withdrawn.

(TEJINDER SINGH DHINDSA)
JUDGE

25.07.2016
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