

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

***CWP No.14576 of 2016 (O&M)
Date of decision:25.07.2016***

Smt. Shakuntla Devi

... Petitioner

Vs.

State of Haryana & others

... Respondents

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

Present: Mr. S.S. Mor, Advocate for the petitioner.

...

TEJINDER SINGH DHINDSA, J.

Prayer raised in the present petition is for issuance of writ of mandamus for directing the respondent/authorities to make necessary entries/change in the service book of the petitioner with regard to change of designation from Beldar to that of Peon.

Counsel has adverted to an order dated 21.04.2008 issued by the Superintending Engineer, PWD (Water Supply and Sanitation Circle), Bhiwani and placed on record at Annexure P-2 to submit that the request of the petitioner was accepted and her designation was changed from Beldar to that of Peon. It is contended that this very change as contained in Annexure P-2 is not being incorporated in the service record of the petitioner.

Counsel for the petitioner has been heard.

Even though, on the face of it, the prayer of the petitioner may sound innocuous but certain relevant aspects would emerge i.e.

- i) Whether Beldars and Peons in the respondent/department are borne on a common cadre or they constitute separate cadres?

ii) Who is the competent authority as regards change of designation from Beldar to that of Peon or to permit a change in cadre as the case may be?

iii) Even if the request of the petitioner for change of designation from Beldar to that of Peon is to be accepted, would it not entail the petitioner losing seniority on the post of Beldar and to be treated at the very tail end in the cadre of Peons?

The present writ petition is disposed of with a direction to respondent No.2/competent authority to consider the request of the petitioner for making the necessary entry in the service record. The request of the petitioner would be considered on merits and in the light of the observations and issues culled out in this order itself.

Let a final view in this regard be taken within a period of two months from the date of passing of this order.

Disposed of.

25.07.2016

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

i) Whether speaking/reasoned?

Yes

ii) Whether Reportable?

No