

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

CWP No.20753 of 2013 (O&M)

Date of decision: 02.05.2016

Harjit Singh and another

...Petitioners

versus

**The Haryana State Cooperative Supply and Marketing Federation
Limited and others**

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. H.N. Mehtani, Advocate,
for the petitioners.

Mr. Padamkant Dwivedi, Advocate,
for respondent Nos.1 and 2.

Mr. Ajay Kamboj, Advocate,
for respondent No.3.

Mr. Keshav Gupta, AAG, Haryana.

RITU BAHRI, J.

The petitioners are seeking direction to respondent Nos. 1 and 2 to revert respondent No.3, who has been promoted from the post of Fitter-III to Fitter-I on the basis of experience certificate dated 10.02.2000 (Annexure P-7).

Respondent Nos.1 and 2, in their written statement, have taken a stand that after getting a report from the Vigilance Department, criminal as well as departmental proceedings have been initiated against Sh. Ved Parkash-respondent No.3 vide order (Annexure R-2, collectively). As per order dated 02.09.2013 (Annexure R-3), the petitioner has been placed under suspension and thereafter, regular departmental enquiry has been initiated on 19.12.2014.

The respondents have placed on record the policy decision (Annexure R-1), whereby the Government has taken a conscious decision that the employees, who were shifted from Ghuna Sugar Mill and Sirsa Sugar Mills, will not be given the benefit of seniority on the basis of past services and they will be treated as fresh employees.

Learned counsel for the petitioner has referred to the order dated 09.05.2012 passed by this Court in **Harjit Singh and another Vs. Shri Anil Malik and another**, COCP No.1402 of 2012 (Annexure P-16), whereby a direction was given to respondent No.2 to conclude the enquiry in four months' time.

Till date the enquiry proceedings have not come to an end.

In view of the above, this petition is disposed of by giving a direction to respondent No.2 to complete the enquiry proceedings within a period of three months. In the meantime, if any vacant post of Fitter-I is available, the official respondents will consider the case of the petitioner for promotion to the said post in accordance with law/rules.

02.05.2016
ajp

(RITU BAHRI)
JUDGE