

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

Date of decision:14/12/2016

Gurdip Singh

.....Petitioner

VS

The State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR.JUSTICE JASWANT SINGH

Present:- None for the petitioner.

Ms.Puneet Kaur Sekhon,Addl. AG Punjab

Jaswant Singh,J(Oral)

This order shall dispose of †15 cases, including present one, as detailed in the footnote of this order, as they involve similar facts and identical issues. For the sake of convenience, facts are being noticed from CWP 21185/2013.

Petitioner, a Matriculate, joined on a Class IV post in the Education Department on 13.6.1980. His grievance in the present petition is that in 1985 while promoting persons junior to him as Clerks without their having passed the typing test, his claim for such promotion had illegally been ignored. It is further claimed that again on 8.11.1995 certain persons junior to petitioner, who were Matriculate, were promoted to the post of Senior Lab Attendants retrospectively w.e.f. 26.11.1985. Those persons did not study Science at Matriculation level. It is also grievance of the petitioner that on the same analogy he should have also been promoted, but was not promoted. Similarly again on 23.10.2003 allegedly many juniors to the petitioners were retrospectively promoted to the post of Senior Lab Attendants or Library Restorer w.e.f. 26.11.1985. Petitioner was promoted as Library Restorer on 18.2.2010 with immediate effect, however later on his date of promotion was changed from 28.2.2010 to 1.8.2011. The petitioner is now claiming promotion with all consequential benefits from the date his juniors were promoted. His claim for such promotion was declined by respondents by passing a speaking order dated 24.7.2012(P-6).

Hence the present writ petition.

Upon notice, reply by way of affidavit dated 26.3.2014 of Kamal Kumar, DPI(SE) Punjab has been filed. It is stated therein that petitioner was working as a Library Restorer since February 2010 and on attaining the age of superannuation retired as such on 30.4.2012.

It is further stated that for promotion to the post of Clerk, petitioner was required to pass a Punjabi type writing test. The persons junior to petitioner who were promoted to the post of Clerk had cleared Punjabi type writing test, but petitioner never passed the said test hence could not be equated with those who passed the said test.

As regards claim of the petitioner for promotion to the post of Library Restorer, it is stated that petitioner was promoted to the said post in the year 2010 at his own turn alongwith fellow eligible employees.

It is further admitted that though some juniors were granted ante dated promotions on the directions of Hon'ble Courts of law, but such promotions were subject to review which exercise has already been done and such ante dated promotions stand reviewed and orders issued. It is in such review of promotions that petitioner got deemed date of promotion with effect from 1.8.2011.

On the last date of hearing i.e. 14.9.2016 on the request of learned counsel for the petitioners hearing was fixed for today.

At the time of hearing none has put in appearance to represent the petitioners.

Dismissed in default.

14.12.2016

joshi/dk kamra

(Jaswant Singh)
Judge

Whether speaking/ reasoned	Yes/No
Whether Reportable:	Yes/No

†1. **CWP No. 21185 of 2013**
Gurdip Singh **Versus** The State of Punjab and others

2. **CWP No. 23799 of 2013**
Sahi Ram **Versus** The State of Punjab and others

3. **CWP No. 23843 of 2013**
Balwinder Singh S/o Sh. Ujagar Singh **Versus** The State of Punjab and others
4. **CWP No. 23849 of 2013**
Mewa Singh **Versus** The State of Punjab and others
5. **CWP No. 24366 of 2013**
Harbans Singh **Versus** The State of Punjab and others
6. **CWP No. 25369 of 2013**
Bahadur Singh **Versus** The State of Punjab and others
7. **CWP No. 27138 of 2013**
Tarsem Chand **Versus** The State of Punjab and others
8. **CWP No. 27453 of 2013**
Pritam Singh **Versus** The State of Punjab and others
9. **CWP No. 27498 of 2013**
Didar Singh **Versus** The State of Punjab and others
10. **CWP No. 27499 of 2013**
Iqbal Singh **Versus** The State of Punjab and others
11. **CWP No. 7980 of 2014**
Balwinder Singh S/o Sh. Piara Singh **Versus** The State of Punjab and others
12. **CWP No. 8262 of 2014**
Lakhwinder Singh **Versus** The State of Punjab and others
13. **CWP No. 8378 of 2015**
Mohan Lal **Versus** The State of Punjab and others
14. **CWP No. 8796 of 2015**
Jarnail Singh **Versus** The State of Punjab and others
15. **CWP No. 9247 of 2015**
Jagdish Singh **Versus** The State of Punjab and another