

CWP No. 18203 of 2016

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

**CWP No. 18203 of 2016
Date of Decision : 04.11.2016**

Chander Parkash Rathi

...Petitioner

Versus

Uttar Haryana Bijli Vitran Nigam Ltd. And others

...Respondents

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Sandeep Parkash Chahar, Advocate for the petitioner.

Anupinder Singh Grewal, J.(Oral)

The petitioner has impugned order dated 02.05.2016 (Annexure P-8), whereby his representation for promotion to the post of Junior Engineer w.e.f. 14.05.1984 has been rejected.

The petitioner was appointed as regular Telephonist on 14.11.1975. He acquired the qualification of diploma in Electrical Engineering in the month of May/June, 1979 from Haryana State Board of Technical Education, Rohtak. He was promoted on the post of Assistant Sub Station Attendant (ASSA) on 21.11.1980 and thereafter to the post of Sub Station Attendant (SSA) in the year 1985. Subsequently, he was promoted as Junior Engineer on 20.09.2004, however, he was deemed to be

promoted w.e.f. 14.11.2003. It is the case of the petitioner that he should have been promoted as Junior Engineer w.e.f. 14.05.1984 as his juniors had been promoted from that date. He has cited the cases of Surender Singh, Nafe Singh, Prem Singh and Ashok Kumar, who are promoted w.e.f. 14.05.1984 and are his juniors.

It is borne out from perusal of impugned order dated 02.05.2016 (Annexure P-8) that Surender Singh, Nafe Singh, Prem Singh and Ashok Kumar were appointed as Assistant Thermal Operators in Thermal Power Station, Panipat in separate cadre. The seniority of officials working in Thermal Power Station has been maintained separately and they are also governed by different Recruitment and Promotion Policies. Therefore, as the petitioner belongs to a different cadre, he cannot claim any parity with an employee, who may have been his junior as far as date of appointment to the service is concerned, but belongs to an entirely different cadre.

It is also notable that the petitioner is seeking promotion with effect from the year 1984 by preferring the instant writ petition in the year 2016. Although, it is stated in the petition that the petitioner has been representing to the respondents in this regard yet it is well settled that merely filing representations cannot condone the delay on the part of the petitioner to approach this Court under Article 226 of the Constitution of India. Reference can also be made to the judgments of Hon'ble the Supreme Court of India in the cases of **Gian Singh Mann Vs. The High Court of Punjab and Haryana and Another**, AIR 1980 SC 1894 and **State of**

Uttaranchal Vs. Shiv Charan Singh Bhandari, 2013 (12) SCC 179.

In view of the above, I do not find any merit in the instant writ petition, which stands dismissed.

November 04, 2016.
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(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned?	Yes
Whether reportable?	Yes/No