

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CWP No. 18220 of 2016 (O&M)

Date of Decision: 05.09.2016.

Pardeep Kumar

--Petitioner

Versus

State of Haryana and others

--Respondents

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

Present:- Mr. Deepak Sonak, Advocate for the petitioner.

TEJINDER SINGH DHINDSA.J

Pleadings on record indicate that the petitioner was initially engaged in the year 1993 as Mali-cum-Chowkidar under the Public Health Engineering Department, State of Haryana on daily wage basis. His services were regularized on 1.10.2003. The post of Mali-cum-Chowkidar is a Group D post.

Contention raised by the counsel is that the petitioner since the last 21 years is discharging the responsibilities of the post of W.P.O-II which is a Group C post.

Claim in the instant petition is for re-designation as Pump Attendant again a Group D post in the light of the fact that the petitioner is technically qualified and has been discharging the work and duties of a technical post i.e. W.P.O-II (Group C post).

During the course of arguments counsel has referred to the documents placed on record at Annexure P-5 issued by the Superintending Engineer dated 17.7.2015, whereunder re-designation of certain other employees as Electrician Helpers has been accepted. Reliance has also been placed upon a letter dated 13.5.2015 (Annexure P-3) issued by the

concerned Executive Engineer, wherein it has been certified that the petitioner has been operating Tube Well No.1, Jakhal Mandi for the last 21 years and possesses qualification of Matric with I.T.I (Tractor Mechanic Trade) and in the light of such factual position his case for re-designation as Pump Attendant was forwarded to the Superintending Engineer, Public Health Engineering Circle, Sirsa. It is submitted that till date no final decision thereupon has been taken.

Without making any observations on merits, I deem it appropriate to dispose of the present writ petition in terms of granting liberty to the petitioner to file a comprehensive representation as regards his grievance and claim. In the eventuality of any such representation being preferred, respondent no.3 would be obligated to consider the same and to take a final view in the matter strictly in accordance with law and by passing a speaking order within a period of three months from the date of submission of the representation.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

05.09.2016

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Whether speaking/reasoned: Yes

Whether Reportable: No