

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

**Civil Writ Petition No. 20003 of 2016 (O&M)
Date of Decision: 24.09.2016**

Sarabjit Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. J.P.S. Sidhu, Advocate
for the petitioner.

JASWANT SINGH, J. (ORAL)

Petitioner-Sarabjit Singh is working as Peon in the office of Deputy Director, Department of Animal Husbandry, Mansa, since 27.06.2002.

It is claimed that the petitioner is 10+2 pass, and also has qualified the stipulated typing test for promotion to the post of Clerk. It is averred that out of eight (08) persons, who had passed the qualifying typing test, six (06) persons have been promoted, whereas two including the petitioner are yet to be promoted inspite of posts in their quota being available. Hence, a mandamus is sought for directing the respondents to promote the petitioner to the post of Clerk.

After hearing learned counsel for the petitioner, no case for interference is made out.

It is not disputed that no person junior to the petitioner has been promoted, and the six (06) stated persons were concededly senior to

the petitioner. Even if there are posts available, no mandamus can be issued to the employer for filling up those posts.

In view of above, the present writ petition stands dismissed.

September 24, 2016

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**(JASWANT SINGH)
JUDGE**

Whether Speaking/reasoned	Yes
Whether Reportable	No