

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

**CWP No.25604 of 2016 (O&M)
Date of decision : December 12, 2016**

Madan Lal

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Mr. Pawan Kumar Goklnaey, Advocate for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

The grouse of the petitioner is that his previous CWP No.24475 of 2012 was allowed on 11.08.2015 (Annexure P-7), in which it was held that he is entitled to be promoted at Roster No.11 and the person at No.12 can be considered at No.13 to the post of B.P.E.O.

The petitioner had sought the said promotion against 3% reserved quota of physically handicapped person as granted by this Court vide order dated 06.09.2010 (Annexure P-2). According to the petitioner, the said order was not complied with and thereafter, he filed contempt petition after which the impugned order dated 19.10.2015 (Annexure P-8) was passed, vide which he has been promoted at Serial No.11 w.e.f. 21.02.2014, whereas the said post was available from 25.06.2009.

Learned counsel for the petitioner has drawn attention of this Court towards instructions dated 14.12.2011 (Annexure P-11), according to which the reservation for the handicapped employees in Government

Services for promotion was effected from 06.03.2011. Therefore, the prayer is that the petitioner is entitled to the promotion w.e.f. 06.03.2011 when the instructions of the Government were made applicable. Prior to that no post of physically handicapped was filled in.

It being so, it is a case of violation of order dated 11.08.2015 passed by this Court in CWP No.24475 of 2012. The filing of the present petition for violation of the said order, is not the the proper remedy.

Hence, the present petition is disposed of.

(KULDIP SINGH)
JUDGE

December 12, 2016

sarita

Whether speaking / reasoned Yes

Whether Reportable: No