

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

Letters Patent Appeal No.1355 of 2013 (O&M)

Date of Decision: May 10, 2016

Surjit Singh and others

.....Appellants

versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE A.B.CHAUDHARI.

Present: Mr.Pritam Saini, Advocate, for the appellants.
Mr.Rajesh Bhardwaj, Additional AG, Punjab.
Mr.K.S.Dadwal, Advocate, for respondent No.3.
Mr.KPS Sandhu, Advocate for respondent Nos.8 & 10.

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1. Whether Reporters of Local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

Surya Kant, J. (Oral)

The 3rd respondent filed CWP No.4856 of 2011 questioning the promotion of appellants and proforma-respondents to the posts of Senior Assistants as according to her, she was also entitled to be considered and promoted over and above the appellants and proforma-respondents. Learned Single Judge accepted the claim of 3rd respondent vide the order under appeal dated 14.03.2013 but instead of directing to consider her for promotion from the date the appellants and proforma-respondents were promoted, the promotion order of the appellants and proforma-respondents has been set-aside. A further declaration has been granted in favour of

respondent No.3 that she is eligible to be considered for promotion. There is yet another direction to prepare a common seniority list of the employees belonging to different feeder cadres and thereafter make the promotions.

The appellants are aggrieved by the order of the learned Single Judge to the extent of setting-aside their promotion though they do not dispute the claim of respondent No.3.

Unfortunately, respondent No.3 has retired from service during the pendency of this appeal.

Taking into consideration the limited prayer made by the appellants and the fact that respondent No.3 has since been declared eligible for promotion by the learned Single Judge, we dispose of this appeal by modifying the order of learned Single Judge to the extent that without disturbing the promotion of the appellants, let the claim of respondent No.3 be considered and if found entitled for promotion as per the common seniority list, she be also promoted from the due date with all the benefits except the arrears of pay.

Ordered accordingly.

Dasti.

[SURYA KANT]
JUDGE

May 10, 2016
mohinder

[A.B.CHAUDHARI]
JUDGE