

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

L.P.A. No.554 of 2016

Date of Decision : May 23, 2016

Mahabir Singh Tanwar

.....Appellant

VERSUS

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE T.P.S.MANN
HON'BLR MR. JUSTICE GURMIT RAM

Present : Mr. A.S. Tewatia, Advocate
for the appellant.

T.P.S. MANN, J.

Judgement dated 16.2.2016 passed by learned Single Judge, while dismissing the writ petition preferred by the appellant, stands challenged by him by filing the present appeal under Clause X of the Letters Patent.

Vide impugned judgment, learned Single Judge upheld the order dated 1.7.2015 passed by the Registrar, Co-operative Societies (Admn.), Haryana rejecting the claim of the appellant for promotion to the post of Statistical Officer.

The case of the appellant throughout has been that he had joined as Manager in the Haryana State Co-operative Agriculture and Rural Development Bank Limited (hereinafter referred to as 'the Bank') by transfer on deputation and absorption from Housefed, Haryana being top professionally qualified and having post-graduate degrees and diplomas. Therefore, he was required to be promoted to the post of Statistical Officer/Planning and Evaluation Officer/District Manager/

Assistant Secretary and Deputy Secretary being senior-most eligible officer. Despite the same, respondent No.4-Surinder Mohan stood wrongly promoted to the post of Statistical Officer and further to the post of Assistant Secretary, Deputy Secretary and Additional Secretary.

As per the Staff Service Rules of the Bank, post of Statistical Officer is to be filled by direct recruitment or by promotion. In case of promotion, the concerned officer is required to have B.A. with Economics or B.Com., besides three years experience as Technical Assistant in the Bank. Admittedly, the appellant does not have three years experience as Technical Assistant in the respondent-bank. Moreover, the post of Manager, which the appellant is holding is different from that of Technical Assistant as both the posts have separate seniority-list, which cannot be equated for deciding the seniority between the appellant and respondent No.4-Surinder Mohan.

In view of the above, no case is made out for setting aside the impugned judgment dated 16.2.2016 passed by the learned Single Judge whereby his claim for being promoted to the post of Statistical Officer stands declined.

The appeal is without any merit and, therefore, dismissed.

(T.P.S. MANN)
JUDGE

(GURMIT RAM)
JUDGE

May 23, 2016
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