

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

COCP No.136 of 2015 (O&M)

Date of Decision: 30.10.2017

Ravinder Pal Singh

....Petitioner

Versus

Sh. Raminder Singh and others

....Respondents

BEFORE :- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

Present:- Mr. Harinder Sharma, Advocate
for the petitioner.

Ms. Akshita Chauhan, A.A.G., Punjab.

Mr. V.M. Gupta, Advocate
for respondents No.2 and 3.

DAYA CHAUDHARY, J. (ORAL)

Vide judgment dated 04.10.2013 passed in CWP No.13637 of 1993, the order of reinstatement was passed with a direction to pay all consequential benefits except arrears of salary to the extent of 50% for the period, in question i.e from the date of passing of the order of dismissal till the date of reinstatement. Said judgment was challenged by way of filing LPA No.2088 of 2013 by the respondents and the same was partly allowed. It was also held that the petitioner shall be entitled to claim back wages only to the extent of 20% instead of 50%. The petitioner has approached this Court by way of filing the present petition only on the ground that he has not been promoted since 1998, whereas, learned counsel for respondents No.2 and 3 submits that not only the petitioner has been reinstated along

with 20% arrears but he has been promoted with all consequential benefits which have been released to him.

The dispute is of the promotion from the back date i.e from the year 1998, whereas, the petitioner has been promoted on 31.03.2005.

As per arguments raised by learned counsel for the petitioner, the petitioner is entitled for promotion from the date his juniors have been promoted. Neither in the writ petition nor in the order passed by learned Single Judge as well as order passed in the LPA or even in the averments made in the contempt petition, it is mentioned that the petitioner is entitled for promotion from the date his juniors have been promoted.

In view of the above, no contempt is made out.

However, in case, the petitioner is entitled for promotion from the date his juniors have been promoted, he is at liberty to move representation to the respondent authorities preferably within a period of four weeks from today. In case, such a representation is made, the respondents are directed to consider the same by passing a speaking order.

The petition is disposed of accordingly.

(DAYA CHAUDHARY)
JUDGE

30.10.2017
gurpreet

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No