

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

CWP No.17263 of 2006

Date of Decision: 10th January, 2017

Kaushal Kumar

....Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

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

Mr. Hitesh Pandit, Addl. A.G., Haryana.

Mr. S.R. Hooda, Advocate
for respondent No.5.

AJAY TEWARI, J. (ORAL)

This petition has been filed by the petitioner claiming promotion from the date his juniors-Ram Dhari Sharma and Ashok Kumar have been promoted (given deemed promotion) as Zileदार. The simple case of the petitioner which is also admitted by the respondents is that he was senior to the aforesaid Ram Dhari Sharma and Ashok Kumar and was also qualified and consequently, was entitled to be granted promotion from the date from which these two were promoted as Zileदार. It may be mentioned here that Ram Dhari Sharma was given deemed date of promotion as 16.12.1994 while Ashok Kumar was given deemed date of promotion as 05.10.1994.

Learned Additional Advocate General, Haryana is not in a position to deny the fact that the petitioner is senior to those aforesaid persons and that he was also duly qualified and that otherwise no disability

attached to him for his consideration for promotion to the post of Zildar from the date these juniors have been promoted.

In view of the above circumstances, the present petition is allowed and the respondents are directed to consider the claim of the petitioner for promotion as Zildar w.e.f. 05.10.1994.

Let the necessary exercise be conducted and order be passed in this regard within a period of three months from the date of receipt of certified copy of this order in case he is found entitled for promotion, all the consequential benefits be also released to the petitioner within the aforesaid period.

January 10, 2017
ps-I

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No