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

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Date of Decision : 12.05.2017

RAMESH CHAND YADUWANSHI

..... Petitioner

Versus

BOARD OF GOVERNORS AND ANOTHER

..... Respondents

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. R.K.Malik, Senior Advocate with
 Mr. Tej Pal Singh Dhull, Advocate
 for the petitioner.

Mr. Harish Rathee, Sr. DAG, Haryana.

AJAY TEWARI, J. (Oral)

By this petition the petitioner has challenged the order dated 18.6.2015 (P-10) by which the claim of the petitioner for promotion as Head of the Department in Computer Engineering has been declined.

On 27.7.2016 the following order was passed:

"Notice of the application be issued to the non applicant/ respondents for the date already fixed in the main case i.e. 13.9.2016.

Process dasti as well.

Heard Mr. Malik learned Senior counsel appearing for the applicant on the application.

He submits that the currency of the minor punishment has run over on 2.12.2015 and the increments stands restored. The method of promotion in Rule 9 of the Haryana Technical Education department (Group-A) Service Rules, 1986 is on seniority-cum-merit. Therefore,

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the petitioner has a right to be considered in the next DPC. It is so ordered.

However, the result of the DPC qua the petitioner be kept in sealed cover for production before this Court."

The result in sealed cover has been produced before the Court and the same is unsealed. It transpires the the petitioner was not eligible for promotion on various ground. Counsel for the petitioner prays for permission to withdraw this petitioner with liberty to file a fresh one, challenging this order also.

Unsealed envelope is returned back to the learned Sr. DAG.

Prayer is allowed with the aforesaid liberty.

Petition stands dismissed as withdrawn.

Since the main case has been decided, the pending Civil Misc. Application, if any, also stands disposed of.

May 12, 2017
anuradha

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No