

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

1. CWP No.22646 of 2011

Jai Bhagwan and others ... Petitioners

Vs.

State of Haryana and others ... Respondents

2. CWP No.5776 of 2016

Bhagwan and others ... Petitioners

Vs.

State of Haryana and others ... Respondents

3. CWP No.9089 of 2015

Ajit Singh and others ... Petitioners

Vs.

State of Haryana and others ... Respondents

Date of Decision:19.04.2017

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. R.S. Sangwan, Advocate for the petitioner (s).

Mr. Keshav Gupta, A.A.G. Haryana.

P.B. BAJANTHRI J. (Oral)

By this common judgment, I intend to dispose of all the
aforementioned writ petitions as similar facts are involved in these cases.

For the sake of convenience, facts are being taken from CWP
No.22646 of 2011. In the instant petition, the petitioners have sought for
direction to the respondents to provide the pay scale of Pump Operator since
the petitioners are working over the last three decades without any
promotion.

In the absence of rules of recruitment providing promotion
from the source cadre of Chowkidar to any other higher post like Pump
Operator Grade-II or any other post, the petitioners are not entitled for any
relief sought in the present petition.

During the course of arguments, it is addressed that the petitioners' intention is to create avenue of promotions from the post of Chowkidar since avenue of promotions are available in the wing of PWD Department, Health Department and Buildings and Roads Department. Similar avenue of promotions are not available in the petitioners' department. Hence, a direction be issued to create avenue of promotions from the post of Chowkidar.

In this regard, there is no demand before the competent authority/Government. In the absence of demand before the competent authority, this Court cannot issue direction or writ of mandamus to create avenue of promotions from the post of Chowkidar. Thus, the petitioners have not made out a case so as to interfere in the matter.

Accordingly, petition stands dismissed. Reserving liberty to the petitioners to approach the competent authority/Government seeking avenue of promotions from the cadre of Chowkidar to any other higher post. If such representation is made, competent authority/Government is directed to consider the grievance in accordance with law.

19.04.2017
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned **Yes/No**

Whether reportable **Yes/No**