

In the High Court of Punjab and Haryana at Chandigarh

CWP No. 13066 of 2016
Date of Decision: May 30, 2017

Kiran Bala

... Petitioner

Versus

State of Haryana and others

... Respondents

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

Present: Mr. Naveen Daryal, Advocate,
for the petitioner.

Mr. Siddharth Sanwaria, DAG, Haryana.

P.B. Bajanthri, J. (Oral)

1. In the instant writ petition, petitioner has sought the following
reliefs:-

“a) For issuance of a writ in the nature of certiorari for quashing the impugned order on dated 07.08.2014 (Annexure P-13), the claim of the petitioner has been defeated illegally, to consider for promotion and thereafter the another impugned order also been passed on dated 02.09.2015 (Annexure P-15), for again illegally defeated the claim of the petitioner, by the respondents are illegal, arbitrary, and discriminatory, against the rule of natural justice and the same deserve to be set aside;

For issuance of a writ in the nature of mandamus directing the respondent to consider the petitioner for promotion to the post of “Supervisor ICDS” (now Supervisor Female), w.e.f. dated 01.01.1996, after

*completion of 5 years regular satisfactory service as General Supervisor, as per seniority and length of service required under “Haryana Social Welfare and Relief Organization Services Group C, Rules 1983”, then prevalent in the department. The respondents may also be directed to release all the consequential benefits in terms of seniority, fixation and arrear of pay, along with the interest @ 18% p.a. till the date of realization
xx xx xx”*

2. Petitioner is in the cadre of General Supervisor. Next higher post is Supervisor (Female) ICDS. Method of recruitment to the post of Supervisor (Female) ICDS is governed by Haryana Women and Child Development Department (Group C) Service Rules, 1997. Mode of recruitment is by direct recruitment, transfer / deputation. There is no provision for promotion. Thus, petitioner's grievance relating to consider her name for promotion is contrary to the statutory rules / executive orders governing the post of Supervisor (Female) ICDS.

3. Accordingly, instant writ petition stands dismissed with exemplary costs of Rs.5,000/-, same shall be paid to respondent – Department.

May 30, 2017
vkd

[P.B. Bajanthri]
Judge

Whether speaking / reasoned : Yes

Whether reportable : No