

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

CWP No. 19810 of 2013 (O&M)
Date of decision : May 09, 2017

Baljit Singh,

..... Petitioner

v.

State of Haryana and others,

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Shalender Mohan, Advocate
for the petitioner.

Ms. Shruti Jain Goyal, AAG Haryana

Mr. R.S Dhull, Advocate
for respondents No.8 to 11.

Ajay Tewari, J (Oral)

By way of this writ petition, the petitioner has challenged the promotion of respondents No.8 to 11.

The main ground taken is that prior to the promulgation of Rules 2011, promotion from the post of Beldar to the post of Mortor Mate/Work Supervisor was only made from amongst those candidates who had passed the matriculation examination. The petitioner had passed his matriculation examination in the year 1992 and two lists were issued in the years 2007 and 2009 showing the particulars of those Beldars who had passed the matriculation examination, and in those lists names of the private respondents did not figure and it was, therefore, alleged that they had been

illegally promoted.

In the written statements filed by the respondents, it has been clarified that private respondents No.8, 10 and 11 had passed their matriculation examination prior to the promotion and as regards respondent No.9, his promotion order had been withdrawn but he had challenged that by filing a civil suit in which his contention was that since there was no requirement of matriculation for promotion, the promotion given to him could not have been withdrawn and the civil Court had decreed that suit.

Learned counsel for the respondents have argued that the important thing as regards respondents No.8, 10 and 11 is whether they had the qualification of matriculation prior to the date of their promotion and even if by some error their names did not appear in the two lists, Annexures P-2 and P-3, the same would not be determinative. As regards their educational qualification, the matter was verified and on verification, their qualification of matriculation was confirmed.

In these circumstances, no relief can be granted to the petitioner. Consequently, this writ petition is dismissed.

Since the main case has been decided, the pending Misc. Applications, if any, also stand disposed of.

May 09, 2017
'kk'

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No