

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

CWP No.1996 of 2014 (O&M)

Date of Decision : 27th January, 2017

Jarnail Singh and others

..... Petitioners

Versus

The Haryana State Federation of Cooperative Sugar Mills and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. R.K.Chopra, Senior Advocate
with Ms. Shikha Jaidka, Advocate,
for the petitioners.

Mr. Anurag Goyal, Advocate for respondent Nos.1 and 2.

Mr. P.P.S.Doabia, Advocate for respondent Nos.3 and 4.

AJAY TEWARI, J. (Oral)

Petitioners have preferred the instant petition for issuance of directions to respondents to consider the claim of the petitioners for promotion as Pan Man keeping in view the long services rendered by the petitioners as Assistant Pan Man and by issuing a writ of prohibition, the respondents be restrained from making any appointment to the post of Pan Man without considering the claim of the petitioners vis-a-vis the other candidates; the respondents be also directed to grant the benefit of assured Career Progression Rules on the completion of their years service as Assistant Pan Man and by passing of ad-interim orders, the respondents be restrained from making any appointment to the post of Pan Man during the pendency of the writ petition.

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On 03.05.2016, the following order was passed:-

“Learned counsel for the petitioners submits that out of the total service of 28 years of the petitioners with the respondent-Sugar Mill, they have served for 14 years as Assistant Pan Man.

It is further submitted that in the integrum apparently since the petitioners had served the respondents for 14 years as Assistant Pan Man, they were given the pay scale and ACP of the next higher post of Pan Man.

On the basis of the above, it is submitted that for all intents and purposes, the petitioners are being considered as Pan Man without a formal designation. It is prayed that the petitioners be formally designated as Pan Man.

Learned counsel for the respondents prays for time to seek instructions.

Adjourned to 23.08.2016.”

Learned counsel for respondent Nos.1 and 2 states that he has not been able to seek instructions.

In my opinion, in view of the said order, there is really no choice with respondent Nos.1 and 2 to accept the redesignated petitioners as Pan Man in view of the fact that all the benefits of the said post have been given to them and they are infact working on that post.

In these circumstances, respondents are directed to pass necessary order within a period of two months from the date of receipt of certified copy of this order.

The instant petition stands disposed of accordingly.

(AJAY TEWARI)
JUDGE

27th January, 2017

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Whether speaking/reasoned
Whether Reportable :

Yes/No
Yes/No