

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

CWP No.20484 of 2014
Date of Decision:29.08.2017

Gurmail Singh

.....PETITIONER

Vs.

State of Haryana and others

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr.Shrey Goel, Advocate
for the petitioners.

Mr.Hitesh Pandit, Addl. A.G. Haryana.

AMOL RATTAN SINGH J. (ORAL)

The petitioner in this petition is seeking promotion from a date prior to the date when his junior, one Raghubir Singh (not impleaded as a respondent), was promoted as a Tyreman from the post of Helper, on 28.07.1995.

It is contended that the petitioner having been promoted only in the year 1999, deserves promotion from the date that his aforesaid junior was promoted.

In the reply filed by the respondents, it has been stated that, firstly, the petitioners' claim is highly belated, the writ petition having been filed in the year 2014, i.e. 19 years after the junior was promoted and secondly, the petitioner could not have been promoted before his then junior, Raghubir Singh, in view of the fact that the basic qualification required for promotion to the post of a Tyreman was that the employee should have passed Class 8, i.e. the Middle School Examination, which the petitioner passed only in the year

1996.

That being so, in any case the petitioner could not have been promoted prior to his junior who obviously had such qualification and moreover, I see absolutely no reason to entertain this petition seeking ante-dated promotion, 19 years after the junior (with whom parity is sought), was promoted.

Even as per the ratio of the judgment of the Supreme Court in **B.S.Bajwa and another versus State of Punjab and others**, 1998(1) SCT 670 (SC), the petition is not entertainable at this belated stage.

Consequently, the petition is dismissed.

**(AMOL RATTAN SINGH)
JUDGE**

29.08.2017

Anjal

Whether speaking/reasoned? Yes/No

Whether reportable? Yes/No