

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

**201**

**CWP No.5552 of 2012**

**Date of decision: 11.12.2017**

Randhir Singh

....Petitioner

Versus

State of Haryana & others

...Respondents

**CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA**

Present: Mr.R.S.Randhawa, Advocate, for the petitioner.

Mr.Harish Rathee, Sr.DAG, Haryana.

Mr.Saurabh Goel, Advocate, for respondent No.2.

Mr.Harsh Aggarwal, Advocate, for respondents No.3 to 6.

**G.S. SANDHAWALIA, J. (Oral)**

Petitioner seeks promotion to the post of Electrician from 27.03.1999, the date from which respondents No.3 to 7 were promoted, by relaxing the requisite conditions for promotion to the said post.

It is not disputed that the petitioner was working on work-charge daily basis since 11.11.1985 on the post of Electrician Helper. On the basis of compromise between the Faridabad Municipal Corporation and Haryana Urban Development Authority, he was transferred on 01.04.1992 and thereafter, he was granted regular appointment, as per letter dated 22.06.1994 (Annexure R-2/2) w.e.f. 01.06.1994 against the post of Electrician Helper. It is the claim of the petitioner that he should be promoted to the post of Electrician.

The stand of respondent No.2-Corporation is that Haryana Municipal Corporation (Recruitment & Conditions) Service Rules, 1998 provide that for promotion to the post of Assistant Electrician, certification in the Electrical Course from ITI is the mandatory condition. The same reads as under:

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“By Promotion:-

1. Certification in Electrical Course from ITI.
2. 7 years experience as Electrician Helper.”

It has been averred that the petitioner is only 2<sup>nd</sup> class pass and does not fulfill the requisite criteria for promotion to the post of Assistant Electrician.

It is not disputed that the post of Assistant Electrician is a feeder cadre, further to the post of Electrician, to which, the petitioner is now seeking promotion. Once the petitioner is not technically qualified, as such, as per the relevant rules, even for the feeder cadre, the claim, as such, qua promotion to the post of Electrician is not sustainable, in view of the mandate of the Rules. Therefore, no case is made out for grant of any relief to the petitioner, in the facts and circumstances of the present case.

Dismissed.

11.12.2017  
*Sailesh*

**(G.S. SANDHAWALIA)  
JUDGE**

*Whether speaking/reasoned:*                      *Yes/No*

*Whether Reportable:*                              *Yes/No*