

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

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CWP No.21146 of 2017 (O&M)

Date of Decision: September 18, 2017

Balwinder Singh

....Petitioner

vs.

The Punjab State Cooperative Agricultural Development Bank Ltd.
and others

....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Manjit Singh Sarao, Advocate
for the petitioner.

TEJINDER SINGH DHINDSA, J. (Oral)

Petitioner is stated to be serving on the post of Assistant Manager under the Punjab State Co-operative Agricultural Development Bank Limited.

Precise grievance raised in the petition is that his juniors in the cadre of Assistant Managers namely Parminder Singh and Sukhminder Singh have been promoted as Deputy Managers in the light of order dated 07.07.2017 (Annexure P-1) while the petitioner has been superseded.

To substantiate the assertion that the petitioner is senior to the afore noticed two employees, counsel has adverted to the Seniority List of Junior Assistants/Clerks/Accountants as on 02.12.2010 (Annexure P-2). Counsel urges that on the basis of such seniority list, the petitioner as also his juniors were promoted as

Assistant Managers vide order dated 25.01.2011 (Annexure P-3).

Counsel has also referred to the Punjab State Co-operative Agricultural Development Bank Limited, Service Common Cadre Rules 1978 and whereunder, the post of Deputy Manager is to be filled up by promotion from amongst Assistant Managers/P.As., having three years experience.

It is submitted that the petitioner possesses an impeccable service record. Nothing adverse has ever been communicated to him and in spite of being eligible under the Common Cadre Rules, the action of the respondent-authorities in promoting the juniors ignoring the claim of the petitioner, would be violative of Articles 14 & 16 of the Constitution of India.

Without ascertaining the correctness of the averments made in the petition and without going into the merits of the case, I deem it appropriate to dispose of the instant writ petition with a direction to respondent No.1 to consider the claim of the petitioner seeking promotion to the post of Deputy Manager w.e.f. the date his juniors have been promoted and by taking a final decision on the legal notice dated 07.08.2017 (Annexure P-7) i.e. stated to have already been served in accordance with law and within a period of three months from the date of receipt of certified copy of this order.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

18.09.2017
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Whether speaking/reasoned : **Yes/No**
Whether reportable : **Yes/No**