

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

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**CWP-42-2014(O&M)
Decided on 22.02.2017**

MEHAR SINGH & OTHERS

....PETITIONERS

VS

PANJAB UNIVERSITY CHANDIGARH & OTHERS

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Inderjeet Sharma, Advocate with
Ms. Riya Mittal, Advocate for
for the petitioners.

Mr. P.S Goraya, Advocate
for the respondents.

AJAY TEWARI, J.(Oral)

By this petition the petitioners have challenged the advertisement No. 18/2010 dated 12.01.2011 whereby 19 posts of Senior Technicians Group-II were advertised for direct recruitment.

All petitioners were appointed as Junior Technician Group-IV on 02.09.2004 and , till the date of filing the petition were admittedly not even eligible for promotion to Group-III. In the circumstances, their petition for challenging the advertisement for Group-II is ex facie not maintainable. However, the basis on which the claim rests is that while there are 58 posts in Group-IV and 26 posts in Group-II there are only 2 posts in Group-III and thus the promotional avenue which has been created is a farce and mirage. It is difficult for me sitting in writ jurisdiction to first determine what are the numbers of posts which are

acquired by the University in Group-III or whether it is incumbent on any employer to consider the chances of promotion of subordinate employees while creating superior posts.

In the circumstances, the ineligibility of the petitioners for promotion to Group-III would disentitle them from raising any challenge to a proposal to fill up Group-II posts.

Petition stands dismissed.

Since the main case has been decided, the pending civil miscellaneous application, if any, also stand disposed of.

22.02.2017
anuradha

(AJAY TEWARI)
JUDGE

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Whether speaking/reasoned	-	Yes/No
Whether reportable	-	Yes/No