

**121 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CWP No.26444 of 2017

Date of Decision: November 20, 2017

Jaswinder Kaur

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Ms. Sangita Dhanda, Advocate
for the petitioner.

TEJINDER SINGH DHINDSA J. (ORAL)

Pleadings on record would indicate that the petitioner had earlier filed **CWP No.18213 of 2009** impugning the order dated 31.08.2009 issued by the office of the Executive Engineer, Water Supply & Sanitation Division No.2, Roopnagar whereby the claim of the petitioner seeking promotion to class III post as Clerk had been rejected.

The writ petition was disposed of by this Court vide judgment dated 08.07.2013 in the following terms:-

“Having heard learned counsel for the parties at length and in the light of the stand taken by the State Government in the additional affidavit, it is apparent that the petitioner is vested with right to be considered for promotion/appointment to a Class-III post i.e. as a Clerk.

Accordingly, the present writ petition is allowed to the extent that the impugned order dated 31.08.2009 is quashed. The respondent-authorities are directed to consider the case of the petitioner for appointment/promotion to Class-III post i.e. Clerk strictly as per law i.e. by giving due regard to seniority in the cadre to which the petitioner belongs as also keeping in view the qualifications stipulated for such post for which her case for

promotion would be considered. Let such exercise of consideration be completed within a period of 2 months from the date of receipt of the certified copy of this order.

Writ petition disposed of.”

Apparently, the petitioner has been promoted to the post of Clerk vide order dated 19.05.2014 (Annexure P-10).

The instant petition has been filed praying for the issuance of a writ of mandamus for directing the respondents to grant the petitioner anti dated promotion to the post of Clerk-cum-Typist with effect from the date she had completed five years of regular service on a Class IV post in the light of instructions dated 27.10.1998 (Annexure P-6).

Having argued the matter at some length, learned counsel for the petitioner prays for withdrawal of the present writ petition.

Dismissed as withdrawn.

(TEJINDER SINGH DHINDSA)
JUDGE

November 20, 2017

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No