

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

**CWP No.3649 of 2017 (O&M)
Date of decision : February 23, 2017**

Kulwant Singh

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE KULDIP SINGH

Present:- Ms. Neha Jain, Advocate for the petitioner.

1. Whether the Reporters of local newspaper may be allowed to see the judgment ?
2. To be referred to the Reporter or not.
3. Whether the judgment should be reported in the digest ?

KULDIP SINGH J. (ORAL)

Learned counsel for the petitioner contends that the promotion of the petitioner was due in the year 2000. In the year 2009, the petitioner approached this Court and this Court had directed the petitioner to make representation before the respondents, which was made in the year 2010. However, the petitioner was not promoted. Now, the petitioner has retired from service on 31.08.2015. Now, a fresh seniority list has been issued on 10.03.2016 and the persons juniors to the petitioner were promoted to the post of Junior Engineer.

I am of the view that after retirement, the names of the retired employees are removed from the seniority list. Therefore, the names of only those employees who are in service, are considered for promotion. The petitioner cannot claim that he should be promoted in preference to those employees, who are already in service. Even it is observed that the earlier writ was filed in the year 2009 and the petitioner was directed to make representation and he made the same in the year 2010. Thereafter, he

remained silent till 2015 and filed the present petition for claiming the promotion in the year 2017 i.e. after his retirement. The said claim is patently barred by delay and latches.

As such, the present petition is dismissed.

(KULDIP SINGH)
JUDGE

February 23, 2017

sarita

Whether speaking / reasoned Yes

Whether Reportable: No