

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Letters Patent Appeal No.365 of 2017 (O&M)

Date of Decision: March 09, 2017

Mahender Puri

.....Appellant

versus

Uttar Haryana Bijli Vitran Nigam Limited and others

.....Respondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.

HON'BLE MR.JUSTICE SUDIP AHLUWALIA.

Present: Mr.Vikas Chatrath, Advocate, for the appellant.

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Surya Kant, J. (Oral)

The appellant is aggrieved by the order dated 05.08.2016 vide which the learned Single Judge has dismissed his writ petition claiming promotion to the post of Lineman from the year 2007. The appellant was promoted as Lineman in the year 2008.

The only plea taken before the learned Single Judge was that the appellant's alleged juniors in the cadre of Assistant Lineman were promoted as Linemen in the year 2007, hence he too is entitled to be promoted from that date.

Such a plea is factually incorrect for the reason that the alleged juniors were promoted as Assistant Linemen on 17.05.1988 whereas the appellant was promoted as such on 16.10.1991. The instances given by the appellant are thus of those who were actually senior to him in the cadre of Assistant Lineman. His alternative plea to the effect that all those Assistant Linemen were juniors to him in the previous cadre of T-mate has rightly been turned down by the learned Single Judge as such like obsolete claim

cannot be re-opened at this belated stage.

No case to interfere with the order under appeal is made out.

Dismissed.

[SURYA KANT]
JUDGE

March 09, 2017
mohinder

Whether speaking/reasoned

Whether Reportable

:

:

Yes/No

Yes/No

[SUDIP AHLUWALIA]
JUDGE

CM No.752 of 2017 in
LPA No.365 of 2017.

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Mahender Puri versus Uttar Haryana Bijli Vitran Nigam Limited and others

Present : Mr.Vikas Chatrath, Advocate,
for the applicant-appellant.

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For the reasons mentioned in the application, the same is
allowed subject to all just exceptions and 142 days' delay in re-filing the
appeal is condoned.

CM stands disposed of.

(SURYA KANT)
JUDGE

March 09, 2017
mohinder

(SUDIP AHLUWALIA)
JUDGE