

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No.17164 of 2015 (O&M)

Date of Decision: 12.10.2018

Davinder Pal Singh and another

...Petitioners

Vs.

DHBVNL

...Respondents

CORAM:- HON'BLE MR.JUSTICE RAJIV NARAIN RAINA

Present: Mr. R.K. Malik, Senior Advocate with
Mr. Sandeep Kumar Rana, Advocate
for the petitioners.

Mr. B.R. Mahajan, Senior Advocate with
Mr. Prateek Mahajan, Advocate
for the respondents.

RAJIV NARAIN RAINA, J. (Oral)

The controversy whether for the purpose of accelerated 12½% quota for promotion to the post of Assistant Engineer as per amended Regulation 9 (1)(b) (ii) of Punjab State Electricity Board Service of Engineers (Civil) Recruitment Regulations, 1965 as applicable to Haryana State Electricity Board has been settled by the Division Bench of this Court in LPA No. 1515 of 2015 (O&M), Sukhdev Singh and others Vs. Haryana Power Generation Corporation Limited and others decided on 09.08.2018 and other connected cases holding as follows:

i) For the purpose of accelerated 12 ½% promotion to the post of Assistant Engineer as per amended Regulation 9(1)(b)(ii) of Punjab State Electricity Board Service of

Engineers (Civil) Recruitment Regulations, 1965, as applicable to i) For the purpose of accelerated 12 ½% promotion to the post of Assistant Engineer as per amended Regulation 9(1)(b)(ii) of Punjab State Electricity Board Service of Engineers (Civil) Recruitment Regulations, 1965, as applicable to Haryana State Electricity Board, service of 5 years has to be counted from the date when Engineering Subordinate acquires A.M.I.E./B.E. Qualification.

ii)The ranking list shall be prepared for every year as on 1st January of every year in terms of clause 2 of Guidelines dated 20.10.1993 (Annexure P6).

iii)The promotions shall be made strictly in accordance with the said ranking list.

iv)The department shall prepare such list within 3 months from the date of receipt of a certified copy of the order and the follow up action shall be taken by undoing the wrong promotions made and making promotions in terms of finding recorded above.

v) Order dated 16.3.2016 and 30.5.2016 passed by Single Bench are set aside and order dated 22.7.2015 is upheld with above noted modifications

vi)All the contrary orders, guidelines or instructions so far as contrary to this judgment are quashed.

Mr. Malik submits that this case is covered by LPA No. 1515 of 2015 and other connected cases.

Mr. Mahajan submits that review application is pending in LPA No. 1515 of 2015(O&M). Be that as it may, the issues in the petition are concluded in the appeal order, therefore, this petition is allowed in the same terms subject to any orders passed in review

application.

The petition stands disposed of.

(RAJIV NARAIN RAINA)
JUDGE

12.10.2018
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Whether speaking/reasoned : *Yes/No*
Whether reportable : *Yes/No*