

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

**CWP No.18438 of 2015(O&M)**

**Date of Decision:-26.04.2018**

**Inder Singh.**

.....Petitioner.

Versus

**State of Punjab & Ors.**

.....Respondents.

**CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH**

Present:- Mr. S.K. Arora, Advocate for the Petitioner.

Mr. Manoj Bajaj, Additional Advocate General, Punjab  
for respondent nos.1 & 2.

None for respondent nos.3 to 9.

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**JASWANT SINGH, J.(ORAL)**

Services of the petitioner in the rank of Tehsil Welfare Officer  
was regularized w.e.f. 5.2.1991.

By filing the present writ petition the petitioner has challenged  
the order dated 21.08.2015 (P-4) whereby his juniors i.e. Private respondent  
nos.3 to 9 have been promoted to the next higher post of District Welfare  
Officer without considering the claim of the petitioner.

Upon notice reply has been filed by the State whereby the stand  
taken is that since services of the Petitioner has been regularized at the time  
of passing of the order dated 21.08.2015, therefore, the petitioner could not  
be considered for pro0motion. It is not in dispute that the services of the

petitioner have been regularized with retrospective effect vide order dated

03.01.2017 (P-5).

Upon reconsideration of the matter in the light of P-5, learned Counsel for the State has placed on record order dated 24.04.2018, whereby petitioner has been retrospectively promoted as District Welfare Officer w.e.f. 21.08.2015 on notional basis.

Learned Counsel for the State on instructions from Ms. Ramandeep Kaur, Senior Assistant, Department of Welfare of SC, BC and Minorities Welfare Department (Welfare Cell) Punjab points out that in view of the fresh order dated 24.04.2018 the petitioner shall be paid the arrears of revised pensionary benefits due w.e.f. his date of superannuation i.e. 31.01.2017.

In view of the aforesaid, the present writ petition is disposed of as infructuous. However, the respondents are directed to release the benefit of revised pensionary benefit to the Petitioner within six months from the receipt of certified copy of this order failing which they shall be liable to be hauled up in contempt proceedings along with exemplary costs.

**( JASWANT SINGH )**  
**JUDGE**

**April 26, 2018**  
Vinay

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| <b><i>Whether speaking/reasoned</i></b> | <b><i>Yes/No</i></b> |
| <b><i>Whether Reportable</i></b>        | <b><i>Yes/No</i></b> |