

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****Date of decision: 17.05.2018****CWP No.12462 of 2018**

Norang Rai Loohach

...Petitioner

Vs.

State of Haryana & others

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. S.K.Malik, Advocate, for the petitioner.

RAJIV NARAIN RAINA, J. (ORAL)

Heard.

Rule 6 of the Haryana Act No.21 of 2010 provides the following criteria for promotion from SDO to the Executive Engineer:

- “(a) Possesses one of the degrees as a regular full time student from a university; or possesses degree of the Associate Membership Examination of the Institution of the Engineers (India); and
- (b) Has rendered eight years service as SDO (Group-B service) and passed the department examination of Group-B service;

Provided that the Government may relax the condition of eight years service in the case of an officer who has completed five years service;”

Service of eight years relaxable to five years is required for promotion to the higher post of Executive Engineer, but the word ‘experience’ is not used in the rule and, therefore, experience gained by ‘look after charge’ of the post of Executive Engineer while holding the substantive rank of SDO will not give any advantage to the petitioner for

regular promotion as Executive Engineer on having rendered only two years of service after substantive promotion in 2015.

Besides, no person has been promoted or is under consideration. If in case any departure is made from the seniority list in making promotions under the Haryana Service of Engineers Group-A, Irrigation Department Act, 2010, the petitioner would have then liberty to ventilate his grievance either before the administrator in the first instance and thereafter in this Court in writ proceedings or by any other remedy provided by law, which he may like to take, as advised.

For the reasons recorded above, I find no error in the impugned order (Annex P-16) and would dismiss the petition.

17.05.2018
Vimal

[RAJIV NARAIN RAINA]
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No