

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

124

CWP-13072-2018

Date of Decision: May 22, 2018

Ravinder Kumar

.....Petitioner(s)

versus

Haryana Vidhut Prasaran Nigam Limited and others

....Respondent(s)

CORAM: HON'BLE MR.JUSTICE SUDHIR MITTAL

Present: Mr. Lalit Rishi, Advocate for the petitioner.

Sudhir Mittal, J. (Oral)

The petitioner was appointed as Shift Attendant (S.A.) on 10.08.2004. His promotion became due to the post of Grid Sub Station Attendant (G.S.A) on completion of two years of service. However, his case for promotion was considered on 09.07.2010. At that point in time, disciplinary proceedings were contemplated against the petitioner and therefore, his promotion was kept in abeyance. On 02.06.2011 (Annexure P-8), the petitioner was punished by imposing punishment of stoppage of one annual increment without cumulative effect. During the currency of the punishment, the petitioner could not seek promotion. He made a representation dated 21.09.2011, for promotion and the request was re-iterated on 26.03.2012 and 19.07.2012. Vide order dated 31.10.2012 (Annexure P-10), the petitioner was promoted to the post of G.S.A since by then, the punishment had come to an end. However, deemed seniority was not granted to him and aggrieved by the same, the petitioner moved a representation which has been rejected vide

order dated 22.09.2015 (Annexure P-13). This order is under challenge in this writ petition.

2. The argument of learned counsel for the petitioner is that the promotion to the post of G.S.A was governed by seniority-cum-merit and therefore, the deferment of the case of the petitioner for promotion in the year 2010, on the ground of pendency of disciplinary proceedings was illegal

3. The argument may have some merit, but the order of deferment of promotion in the year 2010, should have been challenged by the petitioner, within a reasonable time. Today, no relief can be granted to the petitioner, as his relief has become barred by the principle of delay and laches.

4. In view of the above, the writ petition is without any merit and is accordingly, dismissed.

May 22, 2018
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[SUDHIR MITTAL]
JUDGE

Whether speaking/reasoned :	Yes
Whether Reportable :	No