

CM No.14940-CWP of 2017 in/and
CWP No.27879 of 2013
CM No.14942-CWP of 2017 in/and
CWP No.7404 of 2013

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

1. CM No.14940-CWP of 2017 in/and
CWP No.27879 of 2013

Satish Kumar and others

...Petitioners

Vs.

Financial Commissioner-cum-
Principal Secretary and others

...Respondents

2. CM No.14942-CWP of 2017 in/and
CWP No.7404 of 2013

Ms Rajni Pawar

...Petitioner

Vs.

Financial Commissioner-cum-
Principal Secretary and others

...Respondents

Date of Decision: 18.09.2018

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

Present: Mr. R.S. Panghal, Advocate,
for the applicant-petitioner(s).

Mr. Harish Rathee, Sr. DAG, Haryana.

Mr. P.S. Poonia, Advocate,
for respondents No.2 to 4.

RAJIV NARAIN RAINA, J. (Oral)

1. This order will dispose of CWP No.27879 of 2013, *Satish Kumar and others v. Financial Commissioner-cum-Principal Secretary and others* & CWP No.7404 of 2013, *Ms Rajni Pawar v. Financial*

Commissioner-cum-Principal Secretary and others.

2. Reply has been filed in Court by Mr. Poonia in both the cases.
Taken on record.

3. The point involved being short, these two connected cases are taken up for final disposal in motion hearing by consent of counsel.

4. Heard them.

5. It is a settled proposition of law that to be eligible for promotion experience if required will count only after acquiring educational qualification.

6. In the reply, the position is conceded as it deserves to be. Therefore, the seniority list would have to be drawn accordingly in the cadre of Junior Engineers for promotion as Assistant Engineers in the respondent-Nigam.

7. The legal position as above has been settled once again in Civil Appeal No.7076 of 2010, *Parveen Gera v. Haryana State Electricity Board and others*, decided by the Supreme Court on September 13, 2017 the text of which judgment is placed as Annex P-6 with the miscellaneous application.

8. The respondent-Nigam is directed to re-draw the seniority list in accordance with the decision in *Parveen Gera's* case within three months from the date of receipt of certified copy of this order. Thereafter, promotions will be made according to the final seniority. The inter se disputes within the feeding cadre will be settled within the same time frame.

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9. With the above observations and directions, the petitions stand disposed of.

(RAJIV NARAIN RAINA)
JUDGE

18.09.2018
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<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether reportable</i>	<i>No</i>