

***IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH***

CWP No. 21117 of 2017

Date of Decision:-27.07.2018

Basant Kumar Jindal

...Petitioner

Versus

Punjab State Power Corporation Ltd. and others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present:- Mr. Varun Goyal, Advocate
for the petitioner.

Mr. Kanisth Ganeriwala, Advocate
for respondent Nos.1 and 2.

None for respondent Nos.3 and 4.

JITENDRA CHAUHAN J.(Oral)

Prayer in this petition is for issuing direction to quash the charge-sheet No.35/D-10758 dated 20.1.2016 (Annexure P-3) as well as order dated 04.9.2017 (Annexure P-9) vide which for the second time after issuance of impugned charge-sheet, the petitioner was superseded and his juniors respondent Nos.3 and 4 were promoted as Superintending Engineers.

During the course of arguments, learned counsel for respondent Nos.1 and 2 has circulated an order dated 12.2.2018, which is taken on record as Mark 'A', vide which the petitioner has been promoted to the post

of Superintending Engineer, and as such, the claim of the petitioner is fully satisfied.

However, learned counsel appearing for the petitioner states that the petitioner has claimed the promotion from the date of his eligibility.

Learned counsel for respondent Nos.1 and 2 submits that the case of the petitioner for promotion from the claimed date is under active consideration.

In these circumstances, respondent Nos.1 and 2 are directed to settle the pending issue with regard to promotion from the prior date i.e. the date of eligibility of the petitioner, within three months from today.

If the petitioner is aggrieved by the decision taken by the competent authority, the petitioner shall have a right to either revive the present petition or file another petition with better particulars as per law.

Disposed of, accordingly.

July 27, 2018
Vijay Asija

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No