

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.25096 of 2017
Date of Decision: 11.10.2018

Vijay Goyal

.....Petitioner

Versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Mr.Ram Niwas Sharma, Advocate, for the petitioner.

Ms.Palika Monga, DAG, Haryana.

RITU BAHRI, J. (ORAL)

Petitioner is seeking directions to consider his claim for promotion to the post of Executive Engineer with effect from the date i.e. 29.06.2017 (Annexure P-3) when their juniors have been promoted.

On 03.11.2017, notice of motion was issued and contention of the petitioner is that he has done his Bachelor of Technology of Civil Engineering by way of distance education. Thereafter, the matter was adjourned to 15.11.2018. In the meantime, petitioner has filed application for pre-ponement of the main case along with result dated 27.07.2018 (Annexure A/1). The same is allowed today and the same is taken on record. A perusal of the result Annexure A/1 shows that petitioner has now cleared the examination of Civil Engineering conducted by All India Council for Technical Education in 2018. Pursuant to the direction given by Hon'ble the Supreme Court of India in SLP N.19807-19808 of 2012 and the judgment in the case of Orrisa Lift Irrigation Corp. Ltd. Vs. Rabi Sankar Patro and Others AIR 2017 SC 5179, candidates who were enrolled during the academic sessions 2001-2005 if they clear the test/tests to be held as per directions in the judgment and within the stipulated time, all the advantages or benefits shall be restored to the concerned candidates. Since, the petitioner has completed his 4 years degree, the case is squarely covered by the judgments referred above. Petitioner has sent representation and a detailed legal notice to the respondents/Authorities but no action has been

taken in this regard.

Without commenting upon the merits of the case, the present writ petition is disposed of by giving directions to the respondents/Authorities to look into the legal notice of the petitioners (Annexure P-13) and decide the same keeping in view the judgment referred above and result declared Annexure A/1 by respondent No.1 within a period of 8 weeks from the date of receipt of a certified copy of this order.

(RITU BAHRI)
JUDGE

11.10.2018
anil

Whether speaking/reasoned :	Yes/No
Whether reportable	Yes/No