

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-8151-2014

Date of decision-14.12.2018

Ashwani Kumar and others

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Munish Bansal, Advocate,
for Mr. K.C. Singla, Advocate,
for the petitioners.

Mr. Vikas Mohan Gupta, Addl.A.G., Punjab,
assisted by Mr. Baljeet Singh, Excise and Taxation Inspector,
Ferozepur.

JITENDRA CHAUHAN, J.

The petitioners, *inter alia*, seek quashing of orders dated 23.04.2014 (Annexure P-3) reverting them from the post of Clerk to the post of Sewadar.

It is contended that the petitioners were promoted as Clerks from the post of Sewadar under the 15% promotional quota. Subsequently, it came up that the promotion orders of the petitioners were in excess to the prescribed percentage of the said quota. Accordingly, vide impugned order dated 23.04.2014 (Annexure P-3), they were reverted back to the post of Sewadar.

Learned State counsel, on instructions, submits that under the

15% quota for promotion to the post of Clerk, one post has become available due to demise of one Vijay Kumar Sharma, whereas, Major Singh has since been promoted and Vipin Kumar is going to retire on 31.12.2018. Thus, learned State counsel submits that the petitioners can be adjusted against the posts which have become vacant or are likely to be vacant, as per seniority. At this stage, it is also informed that one Gurpreet Singh, who is senior to the petitioners is also yet to be promoted.

Heard.

Keeping in view the statement made by learned State counsel, it is directed that the available posts in the cadres of Clerk under the promotion quota of 15% be offered to the eligible candidates as per seniority, as and when these become available.

Disposed of.

(JITENDRA CHAUHAN)
JUDGE

14.12.2018

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No