

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

CWP No.28641 of 2017 (O&M)

Date of Decision : 24.01.2018

Union of India and others

....Petitioners

Versus

Dev Raj and others

....Respondents

CORAM : HON'BLE MR.JUSTICE MAHESH GROVER
HON'BLE MR.JUSTICE RAJBIR SEHRAWAT

Present: Mr.S.P.Jain, Addl. Solicitor General of India with
Mr. Namit Kumar, Sr. Panel Counsel
for the petitioners.

MAHESH GROVER, J. (Oral)

At the outset, learned counsel for the petitioners has said that the order of the Tribunal has been implemented in totality except for the direction extracted herebelow :-

“The applicant is entitled to be posted as Chief Engineer Zone from the date his junior has been posted as Chief Engineer Zone. The respondents are, therefore, directed to post him as Chief Engineer, Zone with effect from the date his junior has been posted as such.”

After hearing the learned counsel for the petitioners, we are in agreement with the plea raised before us that even though the respondent No.1 would be entitled to be posted as Chief Engineer Zone in terms of the order of the Tribunal, which fact in any case has been accepted by the petitioners, the fact would remain that he cannot be posted as Chief Engineer Zone from the date his junior has been posted. The only interpretation that can be given is that his promotion would relate back to the date when his junior has been promoted but with no consequence of

posting as directed by the Tribunal.

Since no other plea has been raised, we do not deem it appropriate to issue a formal notice to respondent No.1, who is even otherwise on caveat but not present, and dispose of the writ petition with this clarification.

(MAHESH GROVER)
JUDGE

24.01.2018
dss

(RAJBIR SEHRAWAT)
JUDGE

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