

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

**CM No.17820 of 2018 in/and
CWP No.4058 of 2017
Date of decision: 04.12.2018**

Naveen Kumar

...Petitioner

Versus

State of Haryana and another

...Respondents

CORAM:HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Naveen S. Bhardwaj, Advocate,
for applicant-petitioner.

Ms. Palika Monga, DAG, Haryana.

Ritu Bahri, J.

CM No.17820 of 2018

For the reasons, mentioned in the application, main petition i.e.

CWP-4058-2017 is preponed and taken up today itself.

Misc. application stands disposed of accordingly.

CWP-4058-2017

Petitioner is seeking a writ in the nature of certiorari quashing the letter/order dated 18.01.2017 (Annexure P-9), whereby his claim for promotion to the post of Municipal Engineer (M.E.) has been rejected. He is further seeking direction to the respondents to promote him to the post of Municipal Engineer (M.E.) with all consequential benefits along with

interest @ 18% per annum with effect from the date of promotion of his juniors.

Notice of motion was issued in this petition on 08.03.2017 by observing that as per seniority list of Junior Engineers, Nijesh Kumar and Ranbir Singh, who were juniors to the petitioner, were promoted as Junior Engineers in the year 2015. Petitioner's claim has been arbitrarily and illegally ignored. Now, the petitioner has sought direction to the respondents to consider his case for promotion keeping in view that he is now qualified and acquired B.Tech (Civil) degree as per judgment passed by Hon'ble the Supreme Court in **Orissa Lift Irrigation Corporation Limited vs. Rabi Sankar Patro and others**, AIR 2017 SC 5179.

Petitioner has placed on record copy of result of the examination as Annexure P-17 and certificate (Annexure P-18) issued by the AICTE-UGC Special Examination. A perusal of the certificate (Annexure P-18) shows that the petitioner had appeared in the examination, which was conducted during 03.06.2018 to 06.06.2018 for validation of his Civil Engineering degree awarded by JRN Rajasthan Vidyapeeth, Rajasthan. He has successfully qualified the examination and the degree has been validated. Petitioner made a representation dated 03.08.2018 (Annexure P-19) stating that keeping in view the above said degree, his case for promotion to the post of Municipal Engineer w.e.f. August, 2011 be considered at par with the juniors, who have been promoted in 2015.

This petition is disposed of by giving direction to the respondents to look into the representation dated 03.08.2018 (Annexure P-19) after going through the result (Annexure P-17) & certificate (Annexure P-18) and

pass appropriate order with regard to the promotion of petitioner with all

consequential benefits, within a period of four months from the date of receipt of certified copy of this order.

04.12.2018
ajp

(RITU BAHRI)
JUDGE

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