

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

CWP No.2959 of 2018
Date of decision: 09.02.2018

Ravi Kumar Sharma

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Rajesh Arora, Advocate for the petitioner.

ARUN PALLI, J. (Oral)

 Contentends that the petitioner was appointed as Junior Engineer in the year 1992, and he also possessed an AMIE qualification at the time of appointment. It is urged that under the Rules, the petitioner ought to have been considered for promotion to the post of Assistant Engineer on completion of 7 years' service, whereas he was promoted on 22.11.2005. Subsequently, vide order dated 20.04.2006 (Annexure P4), the petitioner was granted the benefit of deemed date of promotion w.e.f. 25.02.2000. And, accordingly, he was placed at serial No.2 in the seniority list of Assistant Engineers. However, vide letter dated 25.11.2013 (Annexure P6), the respondents altered the seniority position of the petitioner and he was placed at serial No.19. The next promotion from Assistant Engineer is to the post of Executive Engineer. The limited grievance that the petitioner has is; that Mr. Nawal Singh and Mr. Birender Singh Pahil, who were identically placed as the petitioner, have since been granted the benefit of deemed date

of promotion. Whereas, the petitioner has been deprived of the said benefit. It is submitted that even though the petitioner is fully eligible to be considered and promoted to the post of Executive Engineer, but his claim continues to await the consideration by the competent authority. So much so, the representation, the respondents have been served with, i.e. dated 05.10.2016 (Annexure P14), has failed to evoke any response.

That being so, the petition is disposed of, at this stage, only with a direction to the respondents to consider and decide the claim of the petitioner, as also his representation dated 05.10.2016 (Annexure P14), within a period of 3 months from the receipt of certified copy of this order. And pass appropriate orders in accordance with law. Needless to assert that in the event the claim of the petitioner is declined, the respondent authority shall pass a comprehensive order assigning reasons in support thereof.

(Arun Palli)
Judge

09.02.2018
Rajan

Whether speaking / reasoned:	YES
Whether Reportable:	NO