

(105) IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA No.1374 of 2017 (O&M) in

CWP No.24868 of 2016

Date of decision: 05.04.2018

Krishan Ram

.... Appellant

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE RAJESH BINDAL.
HON'BLE MR. JUSTICE B.S. WALIA.

Present: Mr. Arihant Goyal, Advocate for the appellant.

Rajesh Bindal, J.

Order passed by the learned Single Judge dismissing the writ petition has been impugned by filing the present intra-court appeal. Along with the appeal, application seeking condonation of 55 days' delay in filing thereof, has also been filed.

The appellant belongs to the Backward Class Category. He superannuated as Headmaster on 31.05.2015. He was promoted to the said post on 04.10.2011. Claim made by the appellant before the authorities in the year 1999 was that he should have been promoted giving benefit of reservation as Headmaster in the year 1996. It is not in dispute that none junior to the appellant in the seniority list was promoted. It is the specific case of the State noticed in order dated 04.02.2016, vide which the claim of the appellant was rejected, that the policy for granting reservation in promotion was discontinued from 16.11.1997.

Once there is nothing on record to suggest that any person junior to the appellant was promoted prior to him, merely because some posts were lying vacant, will not entitle the appellant promotion from back date.

There is no error in the order passed by the learned Single Judge, accordingly, the appeal is dismissed. Consequently, the application seeking condonation of delay in filing the appeal is also dismissed.

(Rajesh Bindal)
Judge

(B.S. Walia)
Judge

05.04.2018
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1. Whether speaking/reasoned : Yes/No.
2. Whether reportable : Yes/No.