

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CWP No. 9343 of 2019

Date of decision :08.05.2019

Satish Kumar Wadhwa

...Petitioner(s)

versus

State of Haryana and others

...Respondent(s)

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Arun Singal, Advocate for the petitioner.

RITU BAHRI , J. (Oral)

The petitioner is seeking direction to the respondents to promote him to the post of Technical Director, Haryana Power Generation Corporation Limited.

In the present case, the petitioner was promoted as Superintending Engineer vide order dated 05.02.2010 and was regularly promoted as Chief Engineer on 31.03.2016. Before his regular promotion, he was sent on deputation in Bhakra Beas Management Board (in short 'BBMB') on adhoc basis where he has worked from 25.07.2013 till 11.09.2014. In the promotion order dated 22.07.2013, it was specifically mentioned that the adhoc promotion and his posting in BBMB will not confer any right for claiming seniority over and above those who are otherwise senior to him nor any regular promotion accordingly and this experience should not be considered for promotion to the post of Technical Director.

Learned counsel for the petitioner has not been able to cite any judgment on the proposition of adhoc promotion/service rendered outside the cadre can be counted towards experience and petitioner can be given promotion prior to the seniors.

Learned counsel for the petitioner further submits that as per the tentative seniority list (Annexure P-3), Mr. V.K. Sethi and Mr. S. Bhatnagar are seniors to the petitioner and Mr. V.K. Sethi has been promoted to the post of Technical Director. The petitioner has given his representations with respect to objection to the tentative seniority list and promotion to the post of Technical Director being experienced Chief Engineer, which have now been rejected vide order dated 18.03.2019 (Annexure P-11).

Writ petition is dismissed on the ground that the petitioner cannot be promoted before his seniors on the basis of adhoc promotion.

08.05.2019
Divyanshi

(RITU BAHRI)
JUDGE

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