

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-15649-2012 (O&M)

Date of decision: - 11.09.2019

Vinod Rawal

....Petitioner

Versus

Haryana Police Housing Corporation and others

.....Respondents

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: - Mr. R.K. Malik, Senior Advocate
with Mr. Digvijay Singh, Advocate, for the petitioner.

Mr. Varun Karjal, Advocate, for respondent No.1.

Mr. N.R. Dahiya, Advocate, for respondent No.2.

HARSIMRAN SINGH SETHI, J. (ORAL)

CM-7678-CWP-2019

Present application has been filed on behalf of applicant-petitioner to place on record accompanying documents i.e. copies of certificate and judgment as Annexures P-32 and P-33 respectively.

In view of the averments made in the application, the same is allowed. Accompanied documents (Annexures P-32 and P-33) are taken on record, subject to all just exceptions.

CWP-15649-2012

The grievance of the petitioner in the present writ petition is that he was considered ineligible for promotion under the degree quota to the post of Executive Engineer in the respondent-Corporation on the ground that the degree in Civil Engineer, which the petitioner got from

JRN Rajasthan Vidyapeeth, Rajasthan was not treated to be a valid degree keeping in view the order passed by the Hon'ble Supreme Court, till the petitioner clears the special examination, as envisaged in the judgment passed in Civil Appeal No.17869-17870 of 2017 arising out of Special Leave Petition (C) No.19807-19808 of 2012, decided on 03.11.2017.

Learned Senior counsel appearing on behalf of the petitioner argues that certain persons junior to the petitioner on the post of Assistant Engineer (Civil), namely, Sh.Subhash Chander Verma, Sh.Vikas Sharma and Naresh Kumar, were given the current duty charge initially and subsequently vide orders dated 04.03.2014 (Annexure P-25) and 31.01.2017 (Annexure P-26), they were regularly promoted on the post of Executive Engineer (Civil).

Learned Senior counsel further argues that the petitioner passed the special examination keeping in view the direction given by the Hon'ble Supreme Court in Civil Appeal No.17869-17870 of 2017 and the result of the same has been produced as Annexure P-32 thereby contending that now the degree, which the petitioner has in the branch of Civil Engineering, is a valid degree and therefore, he is entitled for promotion to the post of Executive Engineer (Civil) with effect from the date the persons junior to him were promoted.

Counsel for the respondents on the other hand states that the degree, which has been attached as Annexure P-32, has now been awarded to the petitioner and the respondents will consider the said degree in respect of the prayer of the petitioner for promotion to the post of Executive Engineer with effect from the date the persons junior to him

were promoted and appropriate order will be passed in this regard within a period of one month from the date of receipt of certified copy of this order and in case, after passing of order, it is found that the petitioner is entitled for any relief, the same will be extended to him within a period of next two weeks.

Learned Senior counsel for the petitioner states that keeping in view the statement made on behalf of respondent-Corporation, the petitioner does not want to press the present writ petition any further and the same may be disposed of as having not pressed.

Ordered accordingly.

It is made clear that while passing the order, in case anyone who is likely to be affected by the said order may also be heard and their views be also taken with regard to the prayer of the petitioner.

CMs No.4868-69-CWP-2017

Learned Senior counsel appearing on behalf of the petitioner states that all the applications, which have been filed on behalf of the petitioner including impleading of private respondents have been rendered infructuous keeping in view the order passed by this Court today in the main petition and he does not want to press the said applications as well.

Ordered accordingly.

September 11, 2019
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No