

Sr. No.219

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

CWP No.1856 of 2012 (O&M)

Date of Decision: 24.05.2019

Ranbir Chand

... Petitioner

Versus

Punjab State Power Corporation Limited and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Amandeep Saini, Advocate,
for the petitioner.

Mr. Bhupesh Dogra, Advocate,
for the respondents-PSPCL.

ARUN MONGA, J.(ORAL)

Conjoint perusal of the pleadings filed herein reflects that petitioner has been working as a 'Driver' even though he had been recruited as 'Unskilled Worker' on regular basis. Currently also, the petitioner is discharging the duties of a 'Driver' as is reflected from letter dated 15.12.2008 (Annexure P-7).

2. The conceded factual position, in return filed by respondent-PSPCL, is that vide Circular dated 31.01.1997 (Annexure R-1) applications were invited from Work-Charge Daily Wagers, working in the Thermal Plant, to the vacant posts of Drivers on work-charge basis. Pursuant thereto, the petitioner also applied, as is reflected from the recommendation report dated Nil Annexure R-3, wherein the petitioner figures at Sr. No.7. Vide the said recommendation report, the case of the petitioner was not

recommended since he was not holding a proper driving licence at the relevant time and also did not produce the certificate showing requisite driving experience.

3. Regardless of the rejection, the petitioner has been working as a 'Driver' and admittedly has got a valid driving licence, since his rejection, in the year 1997. Thereafter, the case of the petitioner was also recommended by Additional Superintending Engineer vide recommendation letter dated 16.07.1999 (Annexure P-4). Notwithstanding, the petitioner has not been regularized/considered for appointment to the post of 'Work-Charge Driver' and instead continues to be reflected as 'Unskilled Worker (Mechanical) Regular' on the pay roll of the respondent-PSPCL.

4. Having gone through the pleadings and also having heard the learned counsel for the petitioner and keeping in view the recommendation contained at Annexure P-4, the writ petition is disposed of with a direction to the respondents to consider the case of the petitioner for appointment to the post of 'Work-Charge Driver' without keeping in view the objections of the recommendation report contained at Annexure R-3.

5. Let the needful be done within a period of 3 months from the date of receipt of a certified copy of this order.

(ARUN MONGA)
JUDGE

24.05.2019
vandana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No