

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

**CM No.7317-CWP of 2019 in/and
CWP No.16309 of 2016
Date of decision: 15.05.2019**

Jatinder Singh

....Petitioner

Versus

Punjab State Power Corporation Ltd. and ors.

....Respondents

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

Present: Mr. B.D.Sharma, Advocate for the petitioner.

Mr. Jagmohan Singh, Advocate for Mr. Sukhandeep Singh, Advocate
for respondent Nos.1 to 4.

B.S. WALIA, J (ORAL)

CM No.7317-CWP of 2019

CM is allowed subject to all just exceptions. Main case is taken up on
Board today itself.

CWP No.16309 of 2016

1. Learned counsel for the petitioner contends that in fact claim for promotion to the post of Assistant Lineman was not maintainable under Section 33-C (2) of the Industrial Disputes Act, 1947 since the same was not a pre-existing right, therefore, the petitioner be permitted to withdraw the writ petition with liberty to take out appropriate proceedings in accordance with law for seeking redress qua his claim for promotion to the post of Assistant Lineman.

2. Learned counsel appearing on behalf of the respondents states that he has no objection if the petitioner is permitted to withdraw the writ petition with liberty to take out appropriate proceedings in accordance with law for seeking

redress with regard to his claim for promotion to the post of Assistant Lineman.

3. In view of the statement of learned counsel for the parties, the writ petition is dismissed as withdrawn with liberty to take out appropriate proceedings in accordance with law for seeking redress qua claim for promotion to the post of Assistant Lineman. In case any such claim is filed, the same shall be considered and decided in accordance with law without in any manner being influenced by the impugned award.

May 15, 2019
ps

(B.S. WALIA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No