

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

**CWP NO. 28414 OF 2019
DATE OF DECISION : 01.10.2019**

Major Parminder Singh

...Petitioner

versus

State of Punjab and others

...Respondents

CORAM : HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Arvind Kashyap, Advocate,
for the petitioner.

ARUN MONGA, J. (ORAL)

Inter-alia, issuance of a writ in the nature of certiorari to quash the order dated 29.05.2019 (Annexure P-17) has been sought, whereby private respondent No.4 was promoted as Superintendent Grade-II (Revenue and Record) in the office of Deputy Commissioner, Pathankot, by ignoring the claim of petitioner.

2. The petitioner had submitted a representation which was rejected vide order dated 14.03.2019 (Annexure P-16) passed by respondent No.2 i.e Commissioner, Jalandhar Division, Jalandhar.

3. Having heard learned counsel for the petitioner and on perusal of the contents of the writ petition along with the record appended therewith, I am of the view that no interference is called for in extra-ordinary writ jurisdiction of this Court vested

under Article 226 of Constitution of India. The writ petition being devoid of merit is liable to be dismissed for the reasons stated herein below.

4. Grievance of the petitioner is essentially directed against the promotion of respondent No.3 as against his claim of being more meritorious than him on the ground of having better requisite experience which is an essential requirement for being considered for promotion. What emerges from the record is that the petitioner while serving as Superintendent Grade-II in the office of Sub Divisional Magistrate, Pathankot had earlier sought his transfer as Superintendent Grade-II (Revenue and Record) in the office of Deputy Commissioner, Pathankot. There is no provision in the Punjab District Services (Grade-III) Rules for transfer from the post of Superintendent Grade-II (General) to the post of Superintendent Grade-II (Revenue and Record). Neither it has been pleaded in the writ petition nor even otherwise in the course of hearing anything was shown to the effect that the petitioner is entitled to be appointed as Superintendent Grade-II (Revenue and Record) by way of transfer on the ground that he is serving as Superintendent Grade-II (General) or that the said posts are interchangeable.

5. In the premise, I am of the view that the impugned order dated 29.05.2019 (Annexure P-17) does not suffer any infirmity as respondent No.3 has been validly promoted from the post of Senior Assistant to Superintendent Grade-II (Revenue

and Record). In any case, the petitioner has not shown any legal infirmity or any violation of law entitling him to seek issuance of a writ in the nature of certiorari to quash the impugned order.

6. The writ petition is accordingly dismissed.

(ARUN MONGA)
JUDGE

OCTOBER 01, 2019
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Whether speaking/reasoned :	Yes/No
Whether reportable :	Yes/No