

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND
HARYANA AT CHANDIGARH

CWP No.32964 of 2018 (O&M)

Date of Decision.01.10.2019

Dharmender Singh Budhwar

...Petitioner

Vs

State of Haryana and another

...Respondents

Present: Mr. Anurag Jain, Advocate
for the petitioner.

Mr. S.K. Nehra, Advocate
for the applicant.

Mr. Gaurav Jindal, Addl. A.G., Haryana.

Mr. Kanwal, Goyal, Advocate
for HPSC.

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

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AMIT RAWAL J. (ORAL)

C.M No.240 of 2019

In view of finding rendered in the main case, no order is
required to be passed in the application.

Dismissed.

CWP No.32964 of 2018

Written statement filed on behalf of respondent No.2 in court
today is taken on record.

Prayer of the petitioner in the present case is as under:-

*“Civil Writ Petition under Article 226/227 of the Constitution
of India for issuance of a writ in the nature of certiorari for
quashing of advertisement No.4 of 2018 dated 14.8.2018
(Annexure P-19) issued by respondent No.2 on the requisition*

of respondent No.1 for carrying out recruitment to the post of Deputy Director, Fisheries (Class-1), Fisheries Department, Haryana;

AND

For issuance of a writ in the nature of prohibition restraining the respondents from not carrying out appointment to the post of Deputy Director, Fisheries (Class-I), Fisheries Department, Haryana.”

Concededly, the petitioner has not submitted application for the aforementioned post. As per submission of Mr. Anurag Jain, learned counsel appearing for the petitioner, in view of provisions in the Rules dated 09.03.2016, person holding charge of District Fisheries Officer is eligible directly for promotion to the post of Joint Director, though feeder cadre to the post of Joint Director is Deputy Director Fisheries/District Fisheries Officer. Owing to the pendency of writ petition before the Division Bench laying challenge to the Rules as well as the interim order in the writ petition, whereby proceedings of the Departmental Promotion Committee have been stayed, petitioner was compelled to approach this Court.

This Court vide order dated 17.12.2018, noticing the aforementioned contention, granted status quo with regard to promotion of Deputy Director. Since this Court had already modified the order in the other writ petition bearing No.25420 of 2018, in view of interim order of the Division Bench, I am of the view that grievance of the petitioner no longer subsists as his case for promotion can be considered and also other similarly situated persons, who are in the zone of consideration. No cause

of action survives in the writ petition.

Writ petition stands disposed of.

(AMIT RAWAL)
JUDGE

October 01, 2019

Pankaj*

Whether speaking/reasoned Yes

Whether reportable No