

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.37421 of 2019
Date of decision 17.01.2020

Bhajan Lal

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Ram Pal Verma, Advocate,
for the petitioner.

Ritu Bahri, J. (oral)

Petitioner is seeking direction to the respondents to grant him promotion to the post of Assistant w.e.f. 21.12.1995 with all consequential benefits keeping in view the judgment dated 16.08.2005 passed by this Court in CWP No.18333 of 2002, titled as **Tilak Raj vs. State of Haryana and others** (Annexure P-3).

Learned counsel for the petitioner contends that pursuant to the direction given by this Court vide judgment dated 16.08.2005 (Annexure P-3), respondent-department, vide order dated 27/28.01.2009 (Annexure P-4), had made promotions to the post of Assistant. He further contends that another set of nine Clerks have been promoted to the post of Assistant vide order dated 26.05.2009 (Annexure P-5). Further, 20 more Clerks have been promoted vide order dated 26.05.2009 (Annexure P-6).

After passing of the orders dated 28.01.2009 & 26.05.2009 (Annexures P-4 to P-6), petitioner made a representation dated 11.01.2012 (Annexure P-7) claiming parity of promotion at par with his juniors. Final

representation has now been made on 01.08.2018 (Annexure P-8), but no

action has been taken thereon till date.

After hearing learned counsel for the petitioner, this petition deserves to be dismissed. After passing of the judgment dated 16.08.2005 (Annexure P-3), promotions of some of the clerks were made vide orders dated 28.01.2009 & 26.05.2009 (Annexures P-4 to P-6). Cause of action to claim party of promotion with the juniors had arisen in the year 2009, whereas the petitioner filed his representation on 11.01.2012 (Annexure P-7). Moreover, the orders dated 28.01.2009 & 26.05.2009 (Annexures P-4 to P-6) do not reflect that those promotions were granted w.e.f. 21.12.1995. The present petition has been filed after a gap of almost 10 years of grant of above benefit to the other employees, who are stated to be junior to the petitioner.

On the ground of delay itself, the present petition is dismissed.

17.01.2020
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No