

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

CWP-1203-2021

Date of Decision: 26.02.2021

Neerja Rani Gupta

...Petitioner

Versus

Punjab State Power Corporation Ltd. and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Harinder Sharma, Advocate,
For the petitioner.

Mr. Sehajbir Singh, Advocate,
For the respondent-PSPCL.

(Presence marked through video conference).

ARUN MONGA, J. (ORAL)

Grievance of Petitioner, *inter alia*, seeking issuance of a writ in the nature of mandamus qua her promotion, is that her employer/respondent No.1 is not considering her case, by direct recruitment or by way of promotion, on the post of Accounts Officer despite vacant posts being available.

2. On advance service of copy of petition, Mr. Sehajbir Singh, Advocate for respondents-PSPCL joins the proceedings. In compliance of orders dated 27.01.2021 and 08.02.2021, passed by this Court, short affidavit of Er. Rajneesh Sarwal, Deputy Secretary Recruitment, PSPCL, the Mall, Patiala has been tendered in course of hearing through e-mail, soft copy thereof is taken on record. Let a hard copy be filed in the Registry. Relevant extract of the affidavit is reproduced herein below:-

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“10. One post of Ex-servicemen category and one post of physically handicapped category remained vacant due to non-availability of any candidate, the same were de-reserved and added to the general category, thus taking the total posts of general category from 6 posts to 8 posts. As has been mentioned hereinabove, the petitioner being at merit position no.12 still did not come within the zone of appointment. The panel of 8 general category candidates that was sent for appointment dated 19.09.2003 is appended herewith as Annexure R-1/4.

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16. Qua the prayer of the petitioner re: promotion to the post of Accounts Officer is concerned, it is submitted that 70% posts of the cadre of Accounts Officer are filled by promotion strictly in accordance with the seniority on the post of Assistant Accounts Officer (SAS). It is submitted that the petitioner’s seniority no. as SAS is 515 in the seniority list and the last promoted SAS/Assistant Accounts Officer’s seniority no. as SAS is 508 thus, she can only be promoted as per her turn in accordance with seniority and as such her alternative claim of promotion to the post of Accounts Officer is also devoid of any merit.”

3. In view of the unequivocal stand taken in the aforesaid affidavit, no grounds are made out to interfere. The petition seems to have been filed based on wrong information.

4. Writ petition is accordingly dismissed with liberty to the petitioner to pursue her cause before the administrative authority, who shall consider her case, in accordance with law, in due course.

February 26, 2021
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes/No
Yes/No