

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

**CWP No.17184 of 2020
Date of decision: 22.01.2021**

Om Parkash Goyal

..Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Rakesh Sobti, Advocate
for the petitioner.

Ms. Kanica Sachdeva, AAG, Punjab
for the respondents.

Ritu Bahri, J. (Oral)

Petitioner is seeking direction to the respondents to grant/release the arrears of salary for the period from 17.07.1996 to 30.09.2019 which he is entitled on his promotion to the post of SDO in compliance of judgment dated 03.07.2014 passed in CWP No.15731 of 1991 and CWP No.18332 of 2009.

The petitioner joined the Water Resources Department, which is known as Irrigation Department, as Junior Engineer and passed Section A and B of Institute of Engineers (India) Calcutta i.e. AMIE and became eligible in the month of March 1992 to April 1996, in all respects, for promotion to the post of Sub Divisional Officer under the Punjab Service of Engineers Class-II 1941 Rules (PWD Irrigation Branch). But he was not considered for promotion, whereas the diploma holders were considered for promotion in the year 1996 under the provisions of Statutory Rules, 1941.

The petitioner, thereafter, filed CWP No.15731 of 1991 and CWP No.18332

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of 2009, which were disposed of vide order dated 03.07.2014 and it was held that the petitioner was eligible for the post and he was promoted w.e.f. 1996. The petitioner has also placed on record seniority list dated 18.09.2019 (Annexure P-3).

Learned counsel for the petitioner states that judgment passed in CWP No.15731 of 1991 titled as 'Kulbir Bhushan Goel and others vs. State of Punjab and others' decided on 03.07.2014 (Annexure P-1), has not been complied with till date. With regard to his grievance, the petitioner has served a detailed legal notice dated 09.06.2020 (Annexure P-5) upon the respondents, but no action has been taken till date.

Today learned State counsel has informed that with regard to implementation of judgment dated 23.07.2020 passed in CWP No.10447 of 2020, COCP No.2079 of 2020 is pending before this Court on 28.01.2021.

After hearing learned counsel for the parties, the present writ petition is disposed of with a direction to the respondents to consider the legal notice (Annexure P-5) and pass necessary orders in accordance with law within a period of two months.

22.01.2021
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(RITU BAHRI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No