

Sr. No.609

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
CWP-1671-2000 (O&M)
Date of decision: 19.05.2022

Raghubir Singh

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioner.

Mr. R.D.Sharma, DAG, Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of mandamus directing the respondents to grant selection grade to the petitioner.

2. Petition was admitted on 10.03.2003.

3. When called out for hearing, there is no representation on behalf of the petitioner. It seems that by sheer effluxion of time and pendency of the writ petition for more than 21 years before this Court, either it has been rendered infructuous or even otherwise the petitioner seems to have lost interest in pursuing the same.

4. In any case, it appears that even on merits, claim of the petitioner is not admissible in view of the following stand taken in paras 4 and 5 of the reply, which are reproduced herein below for ready reference:-

“ 4. That in reply to para-4 of the writ petition, it is submitted that the selection grade is to be given from 01.04.79 to the extent of 20% of the total posts of cadre as per Govt. letter no.3/2/1/PF (F.D.)-80, dated 06.10.80 and letter no.1/269/2PR/F.D.-81, dt.20.11.1981 (Letters attached as Annexure R-1 and R-2). It is further submitted that the name of the petitioner does not fall in selection grade.

5. That in reply to para no.5 it is submitted that respondent passed an order of promotion of Raghubir Dutt along with Nand Kishore and Raghubir Singh on 11.06.1997 and promoted them as process Servers w.e.f. 12.06.97 in view of the directions issued by respondent No.2 vide letter no.2843/E.IV.A, Chandigarh dated 26.03.1997. (Annexure R-3) it is further

submitted that Nand Kishore, Raghbir Dutt and Raghbir Singh being senior in the office of respondent No.3 were promoted to the post of process server as the post of process server were became available in the year 1997, because petitioner Krishan Dutt was already promoted as process servers since 1991 as per order No.10931/E.IV.A, dated 06.10.91 of the respondents No.2 (Annexure R-4 and R-5 copy of order). Rest of para is wrong and denied.”

5. I am in agreement with the stand taken by the respondents as aforesaid. Same in any case, neither any replication has been filed to the afore noted stand of the respondents nor any additional affidavit of any kind to controvert the same.

6. In view of the aforesaid, no grounds are made out to interfere.

7. Dismissed.

19.05.2022
vandana

(ARUN MONGA)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No