

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

CWP-16771-1998 (O&M)

Date of decision: May 05, 2022

Om Parkash

...Petitioner

versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioner.

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

None for respondent No.4.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of mandamus commanding respondents No.1 to 3 to grant deemed date of promotion as 'Welder' to the petitioner with effect from 10.02.1986, the date on which it was granted to his junior i.e., respondent No.4.

2. Petition was admitted on 14.01.2002.

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 23 years before this Court, it has been rendered infructuous and the petitioner seems to have lost interest in pursuing the same.

4. Even otherwise on merits having perused the record appended with the writ petition and having seen the pleadings, it appears that the grouse of the petitioner was essentially based on the hostile discrimination meted out to him inasmuch as respondent No.4, who was accorded promotion on the post in question despite being junior whereas petitioner was denied the promotion with effect from the same date as respondent No.4.

5. In the return filed to the writ petition, it is clearly stated that as far as respondent No.4 was concerned, even he was also sent back by way of demotion to his own trade of Fitters and to that extent the heartburn, which may have been caused to the petitioner claiming that despite being senior he has not been given the promotion, did not survive.
6. Furthermore, it is stated that there is no question of claiming *inter se* seniority between the petitioner and respondent No.4 since both of them are stated to be in their respective cadres.
7. 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.
8. In view of the aforesaid, no grounds are made out to interfere.
9. Dismissed.

(ARUN MONGA)
JUDGE

May 05, 2022
vandana

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