

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
CWP-1966-1999 (O&M)
Date of decision: May 10, 2022

Ishwar Singh

.....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.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of certiorari to quash the order dated 15.03.1995 (Annexure P-5) vide which the services of respondent No.3 have been regularized as Restorer with effect from 13.11.1982 resultantly making the petitioner Junior to him.

Petitioner was admitted on 07.08.2001.

When the matter came up for regular hearing before Single Bench of this Court on 09.05.2017, following order was passed by my learned brother P.B.Bajanthri, J. (as he then was in this Court):-

“In the present writ petition, the petitioner has questioned the validity of order by which 3rd respondent has been given benefit of regular promotion from the date of appointing him on ad hoc basis to the post of Restorer i.e. w.e.f. 13.11.1982. Similarly, petitioner was also initially appointed on ad hoc basis to the post of Restorer on 18.09.1980. Thereafter his services were regularized in the cadre of Restorer on 01.01.1991. By virtue of granting certain benefits to respondent No.3 the official respondents have altered the status of the petitioner and 3rd respondent. Even though the petitioner is senior to respondent No.3 having regard to the service particulars of the petitioner and respondent No.3.

Learned State counsel is hereby directed to verify as to why the petitioner is not entitled for promotion to the post of Restorer as and when he was appointed on ad hoc basis w.e.f. 18.09.1980 on par with respondent No.3 who has been extended the benefit of retrospective promotion to the post of Restorer on 15.03.1995 w.e.f. 13.11.1982 and consequential benefits on par with respondent No.3.

List this matter on 17.05.2017.”

Apropos above order, learned State counsel submits that vide an office order dated 16.05.2017, petitioner has been accorded the benefit of promotion with effect from 01.09.1980. Copy of same has been tendered in course of hearing which is taken on record and marked as Annexure 'A'.

In view of the above, writ petition is disposed of as having been rendered infructuous.

(ARUN MONGA)
JUDGE

May 10, 2022
vandana

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