

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

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CWP-19495-2016 (O&M)

Date of decision : 10.10.2022

Satish Kumar Jagota

... Petitioner

Versus

Punjab State Power Corporation Limited and others

.. Respondents

CORAM :HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Petitioner in-person.

Mr. Bhupesh Dogra, Advocate for the respondents.

Anupinder Singh Grewal, J. (Oral)

CM-9567-CWP-2020

This application is for placing on record replication to the written statement filed by the respondents.

Heard. For the reasons stated in the application, the same is allowed and replication is taken on record, subject to all just exceptions.

Main case

The petitioner has challenged the order dated 06.11.2015 (Annexure P-8) passed by respondent No.2 whereby his claim for promotion to the post of 'SAS Accountant' w.e.f. 26.10.2010 has been rejected.

The petitioner, who appears in person, submits that he had been working as Revenue Accountant and was eligible for promotion as SAS Accountant w.e.f. 26.10.2010 as one Harbans Lal, who was junior to him, had been promoted. Harbans Lal had earlier been working as Divisional Accountant but he had been promoted as SAS Accountant in Revenue wing.

The posting of an official from the Divisional Accountant wing to the Revenue

Accountant wing was to the detriment of the petitioner as he would have been promoted in Revenue Wing. It also indicates that the promotional post of SAS Accountant are available in the revenue wing but the same are erroneously being filled from the officials of the divisional wing.

Learned counsel for the respondents submits that the posts of two wings, namely, Revenue Accountant and Divisional Accountant are entirely different and the petitioner can claim promotion only in his wing. Merely posting an official from Divisional wing as SAS Accountant (Revenue) would not be indicative of two wings being in a same cadre.

Heard.

It is apparent that the impugned order dated 06.11.2015 (Annexure P-8) whereby the claim of the petitioner for promotion to the post of SAS Accountant has been rejected, is non-speaking and cryptic order. It was enjoined on the respondents to have duly considered the case of the petitioner for promotion and passed an order supported by reasons.

Consequently, the petition is allowed and the impugned order dated 06.11.2015 (Annexure P-8) is set aside. The petitioner would appear before respondent No.2 on 17.11.2022 at 12.00 noon to submit his representation and present his case which would be considered afresh by passing a speaking order in accordance with law within a period of one month thereafter.

(ANUPINDER SINGH GREWAL)
JUDGE

October 10, 2022

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Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No