

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

207

CWP-2110-2015

DATE OF DECISION: 03.08.2022

MUKESH KUMAR DHAWAN

... Petitioner(s)

Versus

STATE OF PUNJAB & ORS

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Gaurav Sharma, Advocate for the petitioner.

Mr. TPS Chawla, DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner has challenged the order dated 02.12.2013 (Annexure P-2) whereby respondent No.3 has been promoted as Superintending Engineer (Civil).

Learned counsel for the petitioner submits that the petitioner was senior to respondent No.3 and therefore he ought to have been promoted ahead of respondent No.3. The petitioner had retired in 2013 but he had been granted extension for a period of 2 years.

Learned State counsel submits that the petitioner is belated inasmuch as the challenge to the promotion of respondent No.3 had been made after the petitioner himself had retired. The respondent No.3 has also retired.

Heard.

The petitioner has preferred the instant petition in the year 2015 challenging the order of promotion of respondent No.3 passed on 02.12.2013.

The petitioner himself is stated to have retired on 28.02.2013. The petitioner has unfortunately expired and is now being represented by his LRs. In the event of the petitioner being aggrieved by the order of promotion of respondent No.3, he should have promptly challenged the same.

Therefore, the challenge has been made after superannuation of the petitioner although it was stated that he had been granted extension in service. Respondent No.3 has already retired.

In view of the above, I do not deem it appropriate to exercise jurisdiction under Article 226 of the Constitution at this stage.

The petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

03.08.2022

SwarnjitS

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No