

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

CWP No. 27088 of 2021

Date of decision: 15.02.2022

Ajay Sharma

..... Petitioner.

Versus

The Haryana Cooperative Sugar Mills Ltd.

..... Respondent.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. R.K. Malik, Senior Advocate, with
Mr. Sandeep Dhull, Advocate, for the petitioner.

Mr. R.K. Doon, Advocate, for the respondent.

ANUPINDER SINGH GREWAL, J. (ORAL)

Heard through video conferencing.

Learned senior counsel appearing for the petitioner contends that the petitioner is working as a Distributed Control System Operator with the respondent. The next line of promotion is Assistant Engineer (Electrical) for which the petitioner is eligible as per his qualification and experience. In terms of the Service Rules for the Cooperative Sugar Mills in the State of Haryana, the direct recruitment to the post of Assistant Engineer would be made if there is no suitable person eligible for promotion to the post of Assistant Engineer. He, therefore, submits that before considering the suitability of the petitioner for promotion, the respondent cannot carry out direct recruitment. The respondent has started direct recruitment and issued an advertisement on 05.12.2021.

Issue notice to the respondent.

At the asking of the Court, Mr. R.K. Doon, Advocate, accepts notice on behalf of the respondent. He submits that he has received oral instructions from the Managing Director that the promotions have been stayed by this Court in CWP No. 2243 of 2021 by order dated 12.02.2021. He further submits, upon instructions, that if the stay is vacated, then the case of the petitioner for promotion would be considered and only thereafter process for direct recruitment would be initiated.

In view of the submissions of learned counsel for the respondent, the grievance of the petitioner appears to be substantially redressed at this stage. Therefore, the petition is disposed of accordingly at this stage.

(ANUPINDER SINGH GREWAL)
JUDGE

15.02.2022
Ramesh

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