

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

137

**2023:PHHC:131507
CR-2115-2019
Date of decision: 10.10.2023**

GURMUKH SINGH

..Petitioner

Versus

STATE OF PUNJAB AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Balbir Singh Jaswal, Advocate
for the petitioner.

Mr. Vikas Arora, AAG, Punjab.

ANIL KSHETARPAL, J(Oral)

1. The Executing Court has consigned the execution petition to the records vide order dated 17.12.2018, after noticing that the decree stands implemented. This revision petition has been filed to challenge the correctness of the aforesaid order.

2. This Bench has heard the learned counsel representing the parties at length and with their able assistance perused the paperbook.

3. The learned counsel representing the petitioner (decree holder) contends that the plaintiff's suit for grant of decree of mandatory injunction to direct the respondent to promote the petitioner to the post of Superintendent Grade-I with effect from 28.01.1981, was decreed vide judgment decree dated 07.02.2018, and the petitioner was also held entitled to the consequential benefits. He submits that the Executing Court has erred in dismissing the execution petition.

4. On the other hand, the learned counsel representing the State of Punjab submits that the petitioner was entitled to be promoted as the Superintendent Grade-I in the field cadre with effect from 28.01.1981, and

the promotion in compliance with the decree passed by the Court has already

been granted. He submits that in the field cadre, there is no further channel of promotion from the post of Superintendent Grade-I as it is only exclusively available to the employees of the head office.

5. This Court has considered the submissions of the learned counsel representing the parties.

6. The Executing Court has correctly observed that the plaintiff has already been granted relief and no further relief in execution petition can be granted.

7. In view of the aforesaid facts, no ground to interfere is made out.

8. Dismissed accordingly.

9. All the pending miscellaneous applications, if any, are also disposed of.

October 10th, 2023

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**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned : *Yes/No*

Whether reportable : *Yes/No*