

405

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-6321-1997 (O&M)
Date of Decision:11.10.2023

SHER SINGH AND OTHERS

.....*Petitioners*

V/s.

STATE OF PUNJAB AND ANOTHER

.....*Respondents*

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: None for the petitioner.

Mr. D.K. Singal, Addl. A.G., Punjab.

SANJEEV PRAKASH SHARMA, J. (Oral)

1. The petitioners have preferred this Writ Petition for commanding the respondents to consider them for promotion to the post of Junior Engineer out of the posts reserved for non diploma holders or in alternative to direct the respondents to conduct test in terms of Rule 9 and consider the cases of all eligible Work Munshies/Work Mistries for promotion to the post of Junior Engineer.

2. The respondents have filed their reply it is stated that the Punjab Public Works Subordinate Service (Building & Roads Branch) Rules, 1934 were applicable before Separation of Public Health Branch from B&R Branch. After separation, instructions were issued vide Punjab Govt. Memo No.8113-BRII(1)64/18018 dated 04.08.1964, according to which, only Work Mistries/Sub Divisional Meahanics/Surveyors, having ten years experience, were elegible for promotion as Junior Engineers in Public Health Branch. Work Munshies were not eligible for promotion according to these instructions. Now the Punjab Deptt. of Public Works Junior Engineers

(Public Health Branch) Class III Service Rules, 1991 has been notified by the Govt. which are applicable to Junior Engineers of Public Health Branch. Passing of qualifying departmental examination has been provided in these Rules for promotion to the post of Junior Engineer. It is proposed to hold this examination during November 1997.

3. In view of the above, since the respondents have themselves stated that they would be conducting the examination in the month of November, 1997 and the petitioners have been treated as eligible, no further order are required to be passed in this Writ Petition. It goes without saying that if the petitioners having been allowed to participate and appear in the examination, they will be given the due benefits.

4. The Writ Petition is **disposed of** in the aforesaid terms.

5. All the pending applications in this Writ Petition stand disposed of accordingly.

October 11, 2023
Ess Kay

[SANJEEV PRAKASH SHARMA]
JUDGE

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	/	<i>No</i>