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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-7985-1998 (O&M)

Date of Decision: 13.12.2023

PARMAL KAUR

.....Petitioner

V/s.

PANJABI UNIVERSITY, PATIALA THROUGH ITS REGISTRAR

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: None for the parties.

SANJEEV PRAKASH SHARMA, J. (Oral)

1. No one has put in appearance on behalf of the petitioner as well as the respondent. This Writ Petition is pending since 1998.

2. The petitioner who belongs to the reserved category of Scheduled Caste (Mahjbi Sikh) joined the respondent-University as a Library Attendant on 15.10.1987 on *ad hoc* basis. In terms of the directions issued by this Court in Writ Petition filed by her, she was regularized by the respondents as a Restorer on 16.10.1995.

3. It is stated that the petitioner was eligible for promotion to the post of Semi Professional from the post of Restorer as she possessed 5 years' experience and the promotion was to be made on seniority-cum-merit basis.

4. She has also cleared the typing test conducted by the respondents, but she was not considered for promotion for the post of Semi Professional. The petitioner had claimed that the Reservation Policy of the State was adopted by the respondent-University and therefore, she was entitled to be considered under the reserved category for promotion to the post of Semi Professional and as per the roster maintained by the respondent-

University, it reserved the posts under points 1 and 6, but due to non-availability, the roster points were de-reserved by the Vice Chancellor on 23.10.1990 and both the posts were carried forward to the next block.

5. The petitioner became eligible on 05.01.1995 for promotion as she completed 5 years' experience on the post of Restorer. She also subsequently appeared in the typing test which was made a necessary requirement and was therefore, required to be promoted, but on 26.11.1996, one Ajit Singh was promoted to the post of Semi Professional who was from the Ramdasia Caste. But even after having passed the typing test, she was not promoted whereas one Satwant Kaur, who belong to Ramdasia community, was promoted. Although, in view of her service record, she was not recommended for promotion, however, the petitioner claimed that she should be promoted.

6. The respondents have filed their reply and it is stated that the petitioner was working on *ad hoc* basis from 09.04.1991 in a regular pay scale. She acquired 5 years' experience on 08.04.1996. The posts under roster point 1 and 6 have not yet been filled. Satwant Kaur was granted promotion as she was more meritorious and senior to the petitioner and had also cleared the typing test.

7. Keeping in view the above this Court is satisfied at the relevant point of time, the petitioner was considered but person senior to her was promoted to the post of Semi Professional. However, from the reply, it appears that there is one other post reserved at roster point No.6, which can be filled by considering the candidature of the petitioner. If the same has not been done, the case of the petitioner may be considered for promotion now

from the date the vacancy so occurred. The exercise shall be done within a period of three days.

8. In view of the aforesaid observations, this Writ Petition stands **disposed of**.

9. All the pending applications shall stand disposed of accordingly.

December 13, 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>