

**In the High Court for the States of Punjab and Haryana  
At Chandigarh**

CWP-6412-2023 (O&M)  
Date of Decision:-17.08.2023

Hans Raj

... Petitioner

Versus

State of Punjab and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL**

Present:- Mr. Shalender Mohan, Advocate, for the petitioner.

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**GURVINDER SINGH GILL, J.(Oral)**

1. The petitioner seeks issuance of a writ in the nature of Mandamus so as to promote him from the post of Sewer Man to the post of Pump Operator w.e.f. the date his juniors had been promoted, as well as to release all consequential benefits.
2. Learned counsel for the petitioner submits that the petitioner had initially been appointed as a Sewer Man on daily wages on 27.2.1987 and his services were regularized on 01.09.1992, but his name was not entered in the seniority list.
3. Learned counsel submits that as a matter of fact no seniority list was prepared since the year 2017 and when the same was prepared in the year 2017, his name was still missing from the same and consequently he moved an application dated 18.4.2017 (Annexure P-1) to the Executive Engineer for

incorporating his name in the seniority list. Another letter date 15.11.2017 (Annexure P-2) was written to Superintending Engineer with a similar request.

4. Learned counsel submitted that on 17.11.2017 the Sub-Divisional Engineer forwarded the case of the petitioner to the Executive Engineer wherein it is mentioned that the petitioner had been assigned seniority at Sr. No.704-A and that in accordance with the seniority number, the petitioner claims promotion. The Executive Engineer vide letter dated 06.12.2017 (Annexure P-4) further forwarded the case to Superintending Engineer to consider the request of the petitioner.
5. However, since no steps was taken, the petitioner submitted another letter dated 28.8.2019 (Annexure P-5) to the Executive Engineer. Thereafter, the Executive Engineer wrote letter dated 28.8.2019 (Annexure P-6) to Deputy Director (Administration), Water Supply and Sanitation Department, Patiala, narrating therein the facts of the case for the purpose of taking appropriate action in the matter. Learned counsel submits that despite the fact that the petitioner had been assigned seniority No.704-A, he is not being granted promotion from the date his juniors who were at Sr. Nos.734 and 741 had been promoted.
6. Notice of motion.
7. At this stage, Mr. Inderpreet Singh Kang, AAG, Punjab, has put in appearance on behalf of respondents and accepts notice. Learned State counsel submits that the case of the petitioner shall be considered by the authorities concerned in accordance with law.

8. In view of the aforestated position, the instant petition is disposed of with a direction to respondent No.4-The Superintending Engineer, Water Supply and Sanitation Circle to consider the case of the petitioner for promotion from the day his juniors were promoted, in accordance with law expeditiously preferably within a period of 4 months from today. It shall be open to the petitioner to submit a detailed representation within 3 weeks from today.
9. A copy of this order be sent to respondent No.4-The Superintending Engineer, Water Supply and Sanitation Circle, for necessary compliance.

17.08.2023

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( GURVINDER SINGH GILL )  
JUDGE

Whether speaking /reasoned  
Whether Reportable

Yes / No  
Yes / No