

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

RSA No.3219 of 1998(O&M)

Date of Order:08.11.2023

Labh Singh

.Appellant

Versus

The Municipal Committee, Sangrur and
another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. G.L.Bajaj, Advocate
for the appellant.

Mr. Chander Mohan Sharma, Advocate
for respondent no.1.

ANIL KSHETARPAL, J

1. In this regular second appeal, the correctness of the concurrent findings of fact arrived at by the courts below is assailed by the plaintiff.

2. The plaintiff filed a suit for grant of decree of declaration that he is entitled to be promoted as a leading Fireman from the post of Fireman with effect from 09.08.1985.

3. Both the courts have held that the plaintiff was a simple graduate, having no technical qualification. Whereas defendant no.2-Hari Rakesh Paul Rai was technically qualified. Thus, the courts have held that the plaintiff is not entitled to promotion from the date defendant no.2-Hari Rakesh Paul Rai was promoted.

4. From the perusal of the file, it is evident that the appellant was working with effect from 09.07.1979.

5. The learned counsel representing the appellant admits that on attaining the age of superannuation, the appellant would have retired by

now. The learned counsel representing the appellant failed to draw the attention of the court to any substantive error in reading or non-reading of evidence. He also failed to point out any substantive error.

6. Keeping in view the aforesaid facts and discussion, no ground to interfere is made out.

7. Dismissed.

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

November 08, 2023
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(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned :YES/NO
Whether reportable :YES/NO