

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

CWP No.10203 of 2022(O&M)

Date of Decision-04.07.2023

Ravi Parkash and another ... Petitioners
Versus
Punjab State Corporation Ltd. and others ... Respondents

CORAM:-HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Aftab Singh Khara, Advocate
for the petitioners.

Ms. Anu Chatrath, Sr. Advocate with
Mr. Nishant Maini, Advocate and
Mr. Parminder Singh, Advocate
for the respondent No.1/PSPCL.

Mr. Gurminder Singh, Sr. Advocate with
Mr. Jatinder Singh Gill, Advocate
for the respondents No.2 to 5.

RAJ MOHAN SINGH, J.

[1]. The present writ petition has been preferred for the issuance of an appropriate writ in the nature of certiorari for quashing the tentative seniority list dated 07.04.2022 for promotion of Additional Assistant Engineer to Assistant Engineer, who are ITI/diploma engineers under Regulation 10.1 of 1965 Regulation.

[2]. The petitioner No.1 is a degree holder (electrical engineer). The petitioners prayed that they be promoted to the

post of Assistant Engineer as per aforesaid Regulations. The petitioners are regular degree holders and have filed the present writ petition, challenging the tentative seniority list dated 07.04.2022, which is in fact the list of candidates being considered for promotion from the post of Additional Assistant Engineer to Assistant Engineer under Regulation 10.1 of Service of Engineer (Electrical) Regulation 1965 and is not a tentative seniority list. The petitioners are regular degree holders and they seek promotion to the post of Assistant Engineer under Regulation 10.7 of Service of Engineer (Electrical) Regulation 1965.

[3]. In the present writ petition, the petitioners have challenged the letter dated 07.04.2022, whereby the cases of the AAEs have been called for promotion to the post of AEs under Regulation 10.1 of 1965 Regulation. The letter dated 07.04.2022 does not pertain to the quota to which the petitioners belong and the petitioners are not even covered under Regulation 10.1 of 1965 Regulation as they are yet to be promoted as Additional Assistant Engineers. The promotion of the petitioners has been stalled due to interim order passed in CWP No.6704 of 2021, which has been filed by the degree holders who have their degrees through distant mode of education. Instead of seeking vacation to the interim order in CWP No.6704 of 2021 and asking for promotion under Regulation 10.7 of 1965 Regulation, the petitioners have filed the present writ petition, challenging the

promotion of AAEs which is being under Regulation 10.1 of 1965 Regulation, whereas the petitioners are yet to be promoted as AAEs on the basis of their seniority.

[4]. It is not the case of the petitioners that the diploma holders/ITI certificate holders, which are being considered for promotions have obtained their qualification from distant mode of education. All the answering respondents have obtained their qualification through regular board.

[5]. Since CWP No.6704 of 2021 has been dismissed vide order of even date, therefore, for the detailed reasons mentioned in the said writ petition, the present writ petition is also dismissed.

(RAJ MOHAN SINGH)
JUDGE

04.07.2023
Prince

Whether reasoned/speaking Yes/No

Whether reportable Yes/No