

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

203

CWP-16532-2021

Date of Decision: 17.07.2023

Ram Paul

...Petitioner

Versus

Union of India and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. R.D. Bawa, Advocate with
Mr. Samuel Gill, Advocate for the petitioner

Mr. Shivoy Dhir, Senior Panel Counsel,
for Union of India-respondents

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 18.12.2020 (Annexure P-11) whereby petitioner has been transferred as JE(C) from 182 FCPL/70 RCC (High Altitude Area) at Istingri in Himachal Pradesh to 1527 RMP/97 RCC 42 BRTF (P) Vartak in Arunachal Pradesh (High Altitude Area) and movement order dated 02.08.2021 (Annexure P-20) whereby petitioner has been relieved w.e.f. 06.08.2021.

The petitioner is further praying that he may be promoted to the post of Assistant Engineer (Civil) from Junior Engineer (Civil) as he had completed the requisite training.

2. Learned counsel for the petitioner *inter alia* contends that petitioner completed four weeks of requisite training on 22.09.2020 and

period of panel for the promotion expired on 10.01.2021, thus, respondents were bound to consider case of the petitioner for promotion.

3. Mr. Shivoy Dhir, learned counsel for the respondents, at the outset, submits that petitioner has already retired, thus, he is not entitled to the benefit. The petitioner completed requisite training, however, at the relevant point of time, he was on deputation, thus, his case could not be considered.

4. On being confronted with the aforesaid fact, Mr. Bawa, learned counsel for the petitioner submits that promotion is a matter of honour. On being promoted from Junior Engineer (Civil) to Assistant Engineer (Civil), petitioner is not going to get additional benefits, however, it is a matter of respect and honour for the service rendered.

5. In view of fact that petitioner has already retired and he is not going to get any additional financial benefit on being promoted from Junior Engineer (Civil) to Assistant Engineer (Civil), respondent authorities are requested to sympathetically reconsider claim of the petitioner and pass an appropriate order within three months from today.

Disposed of in aforesaid terms.

(JAGMOHAN BANSAL)
JUDGE

17.07.2023
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>