

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-11821-2016 (O&M)
Date of Decision: 01.08.2023

Balwinder Singh and another
..... Petitioners

Vs.

State of Punjab and others
..... Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present Mr. Deepak Aggarwal, Advocate
 for the petitioners.

Mr. Vishnav Gandhi, DAG, Punjab

SANJEEV PRAKASH SHARMA, J.(Oral)

1. Present petition has been filed by the petitioners seeking writ in the nature of mandamus directing the respondents to promote the peititoners to the post of Junior Technician Grade II.
2. Admittedly, petitioner no.2-Jaspal Singh joined as Junior Technician on 17.05.2006 while another person Pal Singh joined as Junior Technician on 28.03.2005 in the department of Computer Science where one post for promotion was available.
3. Since petitioner no.2 was junior to Pal Singh, he was not granted promotion while Pal Singh was granted promotion in the said department.
4. As regards petitioner No.1-Balwinder Singh, he is working in a different department and he had raised his complaint before the Punjab State Scheduled Castes Commission seeking promotion out of turn belonging to SC category, but his request was turned down by the said Commission and his application was filed.

- 5. Further, it has also come on record that there are other persons from the same category who are senior to petitioner No.1-Balwinder Singh.
- 6. The seniority has to be examined department wise (trade wise) and therefore, the claim of the petitioners based on the seniority list of lab attendants is misconceived.
- 7. Learned counsel for the petitioners submits that the petitioners may be considered now if there is any post available.
- 8. It goes without saying that the petitioners' consideration will be made according to the respective seniority in the concerned trade. However, no relief can be granted to the petitioners in the present case.
- 9. Writ Petition is *dismissed* accordingly.
- 10. Pending application(s), if any, also stands disposed of accordingly.

(SANJEEV PRAKASH SHARMA)
JUDGE

August 01, 2023

Mohit goyal

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| 1. Whether speaking/reasoned? | Yes/No |
| 2. Whether reportable? | Yes/No |