

2023:PHHC:136314
CWP-17738-2023 (O&M)
Date of Decision: 19.10.2023

Dilraj Kaur

...Petitioner

Vs.

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present Mr. B.S. Sidhu, Advocate for the petitioner.

SANJEEV PRAKASH SHARMA, J.(Oral)

CM-15158-CWP-2023

1. Application has been moved for placing on record copy of rules.
2. For the reasons stated in the application, the same is allowed and copy of rules is taken on record as Annexure P/22.

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3. Learned counsel for the petitioner submits that the provisions of the Punjab Jail Department Clerical and Technical (State Service Class-III) Rules, 1962 (hereinafter referred to as 'the rules of 1962'), allowed promotions to the post of Senior Assistant from the post of Steno-Typist, while the Punjab Civil Services General and Common Conditions of Service Rules, 1994 (hereinafter referred to as 'the Rules of 1994'), were made applicable to the petitioner and she has been denied consideration for promotion to the post of Senior Assistant on the ground that the post of Steno-Typist does not fall in the channel for promotion to the post of Senior Assistant.

4. Learned counsel submits that in the year 2014, persons have been promoted to the post of Senior Assistant and he also refers to Annexure P/19 to submit that other persons have been promoted.

5. From the perusal of order dated 22.09.2014 (Annexure P/19), this Court finds that the promotions granted is from the post of Clerk/Junior Assistant to that of Senior Assistant/Accountant, while the petitioner is not holding the post of Clerk but is holding the post of Steno-Typist. The channel for promotion from the post of Steno-Typist to that of Senior Assistant, which was existing in the Rules of 1962, has been taken away after the promulgation of Rules 1994, as per which, promotion is not available from the post of Steno-Typist to Senior Assistant. The representation of the petitioner directed to be decided by this Court, has, therefore, been rejected by the respondents vide impugned order dated 09.08.2022

6. Considering the provisions of the Rules of 1994 (supra), this Court is satisfied that no interference is warranted in the order dated 09.08.2022. The writ petition is devoid of merit and is accordingly dismissed.

7. All pending misc. application(s) also stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

19.10.2023.

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