

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

**CWP No.26869 of 2022
Date of decision : 19.01.2023**

Gobind Singh and another

....Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE PANKAJ JAIN

Present : Ms. Sonia G. Singh Samber, Advocate
for the petitioners.

PANKAJ JAIN, J. (ORAL)

Present writ petition has been filed under Article 226/227 of the Constitution of India for issuance of writ in the nature of mandamus seeking direction to the respondents to consider the case of the petitioners for provisional promotion from the date of his eligibility.

The petitioners were working as Pump Operator. Admittedly, during the period the petitioners were in service there was no Rule providing for such promotional avenue. Though, the issue w.r.t. framing of such Rule was under consideration with the authorities.

Counsel for the petitioners submits that though Rules were not framed the posts in JE Electrical were sanctioned. Trite it is that in order to seek writ of mandamus the petitioners have to make out a case for their entitlement. In view of the admitted position of fact that there were no Rules during the period the petitioners were in service providing for promotion from the cadre of Pump Operator to JE Electrical, the relief

claimed for by the petitioners cannot be granted.

Consequently, the present petition is dismissed being devoid of merits.

January 19, 2023
Dpr

(PANKAJ JAIN)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No