

**CWP-9497-2000 (O&M) & connected case 2**

2. In the present writ petitions, the grievance being raised by the petitioner(s) is that their seniority has been changed qua respondent No.4 hence, respondent No.4 be treated junior to the petitioner(s).

3. After the filing of the petitions, as of now, 24 years have passed and the petitioner(s) as well as private respondent No.4 have retired from service.

4. The question raised in the present writ petitions has been rendered academic as the petitioner Sarwan Singh, who is present in the Court in person, concedes that even the private respondent has retired from the post of Deputy Director which post was being held by the petitioner at the time of his retirement and private respondent retired prior to the petitioner.

5. That being so, both petitioner(s) and private respondents have already retired and both have retired from the post of Deputy Director, henceforth the question of seniority has been rendered academic.

6. Learned counsel for the petitioner(s) further submits that the petitioner was not promoted to the post of Additional Director though he was eligible and therefore, the petitioner was entitled to be promoted as Additional Director before his retirement.

7. It is a settled principle of law that eligibility does not grant the right to claim promotion. The promotion is to be granted by the respondent-State. Nothing has come on record to the fact that anybody junior to the petitioner was promoted as Additional Director before the retirement of the petitioner.

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8. In the absence of any such fact, the petitioner cannot claim promotion to the post of Additional Director merely on the ground of eligibility.
9. No ground is made out for any interference by this Court in the present case, at this stage.
10. Accordingly, the writ petitions are dismissed.
11. Civil miscellaneous application pending if any, also stands disposed of.
12. A photocopy of this order be placed on the file of other connected case.

December 12, 2024
harsha

(HARSIMRAN SINGH SETHI)
JUDGE

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