

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

209 (3 Cases)

CWP-17828-2006
Date of Decision: 12.03.2024

Vishav Nath and others

...Petitioners

Versus

Bhakra Beas Management Board and others

...Respondents

With

CWP-13367-2007

Lajpat Rai

...Petitioner

Versus

Bhakra Beas Management Board and another

...Respondents

And

CWP-19355-2006 (O&M)

Raj Rani

...Petitioner

Versus

Bhakra Beas Management Board and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Dheeraj Jain, Advocate and
Mr. Sahil Garg, Advocate for the petitioners
(in CWP-17828-2006)
Mr. S.S. Rana, Advocate and
Mr. Arvind Kumar Sharma, Advocate for the petitioner
(in CWP-13367-2007)

Mr. Raman Sharma, Advocate for the petitioner
(in CWP-19355-2006)

Mr. Anil Kumar Sharma, Advocate for respondent-BBMB
(in CWP-19355-2006)

Mr. Zoheb Sidhu, Advocate
for Mr. Amar Vivek Aggarwal, Advocate for respondent-BBMB
(in CWP-17828-2006)

JAGMOHAN BANSAL, J. (Oral)

1. As the issue involved is common, with the consent of both sides, all the captioned petitions are disposed of by this common order. For the sake of brevity and convenience, facts are borrowed from *CWP No.17828-2006*.

2. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking setting aside of order dated 03.11.2016 (Annexure P-5) whereby they have been reverted from the post of 'Workmistry' to 'Beldar'.

3. The petitioners joined respondent as 'Beldar'/'Sewerman'. Petitioner Nos.1 and 2 joined on 04.07.1998 whereas petitioner No.3 joined on 01.07.1990. They all applied for the post of 'Workmistry'. They came to be selected as 'Workmistry'. They joined post of 'Workmistry' w.e.f. 14.08.2006 and by impugned order dated 03.11.2006 (Annexure P-5) came to be reverted. The case of the petitioners is that they had been reverted without issuing notice followed by opportune of hearing.

4. This Court vide order dated 13.11.2006 stayed operation of impugned order, resultantly, the petitioners are working on promoted post since their date of promotion. Out of three petitioners, one has even been further promoted.

5. In two writ petitions i.e. *CWP-13367-2007* and *CWP-19355-2006*, the petitioners are assailing promotion of petitioners of *CWP-17828-2006* and three more persons who were promoted as ‘Workmistry’.
6. A period of almost 18 years has passed away and the petitioners are working on the promoted post and even one petitioner has been further promoted. The petitioners, in *CWP-13367-2007* and *CWP-19355-2006*, have not been considered for further promotion on account of pendency of present writ petition.
7. With the consent of all parties, the captioned writ petitions are hereby disposed of with a direction to respondents to re-consider claim of all the petitioners within three months from today and decide their right of promotion in accordance with law.
8. Pending application(s), if any, also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

12.03.2024
Mohit Kumar

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