

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

224

CWP-20207-2020
Date of Decision :05.03.2024

Rajbir Singh and another ...Petitioners

Versus

State of Haryana and others ...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Keshav Gupta, Advocate for the petitioners.

Mr. Harish Rathee, Senior DAG, Haryana.

Mr. Sunil K. Nehra, Advocate for the respondent No.4.

* * *

Harsimran Singh Sethi, J. (Oral)

1. In the present petition, challenge is to promotion of respondent No.4 to the post of supervisor on the ground that respondent No.4 was junior to the petitioners.
2. Learned counsel for the petitioners submits that during the pendency of the present petition, respondent No.4 has unfortunately died and therefore, promotion granted to respondent No.4 cannot be adjudicated any further hence the said claim may be disposed of having been not pressed any further.
3. Learned counsel for the petitioners further submits that in the meantime, petitioner No.1 has already been promoted as Supervisor

whereas, petitioner No.2 is yet to be promoted hence, the only claim qua petitioner No.1 which survives is that petitioner No.1 is entitled for promotion to the post of supervisor with effect from the date respondent No.4 was promoted to the said post and also as to whether petitioner No.2, who was senior to respondent No.4 is also entitled for promotion from the date respondent No.4 was promoted.

4. Learned counsel for the petitioners submits that the seniority list on the basis of which promotion of respondent No.4 was effected has already been quashed and once the said seniority list has already been quashed, the respondents are under an obligation to re-determine the seniority as per the decision of this Court dated 26.08.2019 in CWP-14482-2018 and in case the petitioners are found entitled for any benefit, the same be also extended to them.

5. Learned counsel for the respondents submits that appropriate decision with regard to the promotion of the petitioners to the post of supervisor with effect from the date the respondent No.4 was promoted to the said post, will be undertaken and an appropriate speaking order will be passed within a period of 08 weeks from the date of receipt of copy of this order and in case the same is found feasible, appropriate relief will be granted to the petitioners otherwise, due reasons for declining the claim of the petitioners will be mentioned in the speaking order so passed.

6. Learned counsel for the petitioners submits that keeping in view the statement made by learned counsel for the respondents, present petition may kindly be disposed of having been not pressed any further.

7. Ordered accordingly.

8. It may be noticed that as respondent No.4 has already died,

even if, the petitioners are found entitled for promotion, the promotion already granted to respondent No.4 shall not be disturbed.

March 05, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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