



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP No.33014 of 2024
Date of decision: 09.12.2024

Varinder Singh and others
.....Petitioners
Versus
State of Punjab and others
.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. H.S. Jagdev, Advocate
for Mr. Aalok Jagga, Advocate
for the petitioners.

Mr. Rajesh Sehgal, Addl. A.G., Punjab.

Mr. A.D.S. Sukhija, Advocate
for the respondent – PSPCL.

NAMIT KUMAR J. (Oral)

The present petition has been filed by the petitioners under Articles 226/227 of the Constitution of India, seeking a writ of mandamus, directing the respondents to grant the benefit of amended Regulation 9 pursuance to amendment carried out vide Circular dated 26.02.2020 (Annexure P-7) amending Punjab State Electricity Board Technical Services Class-III Regulations, 1996 to be effective retrospectively w.e.f. 31.10.2013 I.e.t he date when similar amendment was brought to the cadre of similarly situated persons i.e. Auxiliary Plant Attendant (Technical Subordinate Grade-II). Further prayer has been made to direct the respondents to consider the case of the petitioners for promotion to the cadre of Junior Specialist (Mechanical



& Electrical)/Junior Specialist (Instrumentation) in Technical Subordinate Grade-I retrospectively from the date of their acquiring experience of 2 years as Assistant Junior Specialist/Supervisor Instrumentation in Technical Subordinate, Grade-II and the petitioners be considered for promotion as Assistant Engineer (Electrical) after treating the date of retrospective promotion in the cadre of Junior Specialist (Mechanical & Electrical)/Junior Specialist (Instrumentation) (Technical Subordinate Grade-I) so as to avoid the disparity and discrimination between Auxiliary Plant Attendant (APA), Assistant Junior Specialist (AJS) and Supervisor Instrumentation with consequential benefits. Further prayer has been made to direct the respondents to have a common requisite time-period of service for promotion pursuant to merger of all Regulations i.e. 10.1, 10.3, 10.4 10.9 into a Single Regulation 10.1 and on the aforesaid basis formulate a common seniority list with consequential benefit by quashing separate seniority list. Lastly, it is prayed that during the pendency of the present petition, further promotion to the post of Assistant Engineer (Electrical) be stayed on merged regulation 10.1 so as to avoid further perpetuation of illegality and discrimination towards the petitioners as persons who were juniors to the petitioners on account of the aforesaid illegality, are being further considered for promotions to the post of Assistant Engineer.



At the outset, learned counsel for the petitioners wishes to withdraw the present petition with liberty to file a fresh one, on the same cause of action, with better particulars.

Dismissed as withdrawn with aforesaid liberty.

(NAMIT KUMAR)
JUDGE

09.12.2024
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No