



CWP-4805-2021

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-4805-2021

Date of Decision:21.02.2025

BALWINDER SINGH

..... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Yashpal Marken, Advocate
for the petitioner.

Mr. Ramandeep Singh, Sr. DAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

1. On 01.03.2021, the following order was passed:

“It is submitted by counsel for the petitioner that although all the persons who were junior to the petitioner in the cadre of Scientific Officer have been promoted, however, the petitioner has not been promoted on the ground that no post in the cadre of Assistant Director (Documents) was available. Learned counsel has further submitted that the respondents themselves have not stuck to the compartmentalization of the post of Assistant Director. Respondent No.4 was not holding the cadre post of Scientific Officer (Documents). Despite that he was promoted as Assistant Director (Documents). Accordingly, it is submitted that if the respondents do not stick to the separation of cadres on the post of Assistant Director, as has been done in case of respondent No.4; then the petitioner is entitled to become Assistant Director in any stream as per his seniority.



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If the respondents stick to the separation of cadres on the post of Assistant Director then respondent No.4 deserves to be shunted out from the post of Assistant Director (Documents) and the petitioner deserves to be promoted in his place.

Notice of motion.

Ms. Lavanya Paul, AAG, Punjab appearing alongwith Ms. Anu Chatrath, Addl. AG, Punjab, accepts notice on behalf of the State and seeks time to file the written statement.

Adjourned to 05.08.2021.”

2. Learned counsel for the petitioner submits that respondent has intentionally promoted his juniors. As junior has become senior, he is not sending his matter of seniority to the higher authorities. In the absence of consideration of his matter, he is prejudiced.

3. On the asking of Court, learned State counsel submits that Home Secretary would consider claim of petitioner vis-a-vis private respondent No.4 and decide their seniority as well as eligibility to promotion.

4. In the wake of statement of learned State counsel, the present petition stands disposed of.

5. Let the needful be done within a period of three months' from today.

(JAGMOHAN BANSAL)
JUDGE

21.02.2025

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Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No