



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

204

CWP-13963-2001 (O&M)

Date of decision: 26.05.2025

Sh. Mohinder Pal (since deceased) Th. his LRs

...Petitioner

VERSUS

State of Haryana and others

...Respondents

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present :- Mr. Tara Chand Dhanwal, Advocate for the petitioner(s).

Mr. Rahul Dev, Addl. AG Haryana.

VINOD S. BHARDWAJ, J. (Oral)

CM-25289-2001

Application is allowed as prayed for.

Main case:

1. The instant writ petition has been filed for directing the respondent to consider the case of the petitioner for promotion as Zileadar from the deemed date i.e. 29.12.1995, when the junior to the petitioner had been promoted alongwith all the consequential benefits.

2. Learned counsel appearing on behalf of the petitioner contends that as per the reply filed by the respondent(s)-State, a preliminary objection has been raised that the private respondents alongwith certain other persons had been promoted in the year 1995 wrongly, which was challenged in various writ petitions, such as CWP-4028-1998 and CWP-685-1997. Thereafter, the said promotion orders were carefully examined and reviewed



and all the juniors i.e. the private respondents No.6 to 10 (herein) were reverted to the lower posts whereupon they challenged the order of reversion and filed CWP-4977-1998, CWP-4763-1998, CWP-712-1998 and CWP-968-1999. The order of reversion was stayed by an interim order. The writ petitions were finally disposed of in terms of the judgment dated 24.08.2000 passed by this Court in CWP-17862-1997 titled as 'Hawa Singh and others Vs. State of Haryana' directing the respondents to review the seniority of Canal *Patwaris* and consider the petitioners for promotion as *Ziledar*. He contends that the seniority of the Canal *Patwaris* had thus been prepared and circulated and the cases for promotion to the post of *Ziledars* are being considered/reviewed as per the latest seniority list. He contends that the status thereafter has not been conveyed. He contends that although a reason has been given by the respondents that the case of the petitioners for promotion alongwith juniors was considered but his case was not considered since the petitioner was then involved in a criminal case. He submits that the petitioner already having been acquitted of the criminal case by the trial Court vide judgment dated 17.09.1999, therefore, the period had to be reviewed and an appropriate decision was to be passed.

3. He contends that he would be satisfied in case, respondents are directed to re-examine the entire issue in light of the submission made above and to take an appropriate decision in a time bound manner.

4. Learned State counsel has no objection to the same.

5. The present writ petition is accordingly **disposed of** with a direction to respondent No.3-Engineer-in-Chief, Irrigation/Project, Irrigation



Department, Haryana to consider the case of the petitioner by treating the present writ petition as a representation and to pass a well reasoned and speaking order thereupon. The same shall be decided expeditiously and preferably within a period of 03 months from the date of receipt of certified copy of this order, after granting an effective opportunity of hearing to the respective parties, in accordance with law.

6. Needless to mention that in the event the entitlement of the petitioner(s) is established as per law, the admissible dues alongwith all consequential benefits shall be released in favour of the petitioner(s) expeditiously and preferably within a further period of 02 months, failing which, the petitioner(s) shall become entitled to claim interest @ 6% per annum on the unpaid dues.

(VINOD S. BHARDWAJ)
JUDGE

26.05.2025

Mangal Singh

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