



**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

240

CWP-7144-2021 (O&M)
Date of decision: 22.01.2025

Des Raj

....Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioner

Mr. Arun Gupta, DAG Punjab

AMAN CHAUDHARY, J. (ORAL)

1. The prayer in the present petition is for directing the respondents to consider the claim of the petitioner for promotion to the post of Foreman Special.
2. Learned State counsel refers to the written statement dated 15.11.2022, to which there is no rebuttal by filing rejoinder, reads thus:

“ 3. That in compliance of the order dated 31.05.2017 passed by this Hon'ble High Court, the claim of the petitioner was considered and rejected by passing speaking order on 10.08.2017 (Annexure P-10).

5. That it would be necessary to mention here that petitioner has approached this Office at the first time through his Legal Notice dated 23.04.2014 claiming promotion with no previous representation at all before regularization of his services at Ranjit Sagar Dam Project (RSD-Project hereafter). It is pertinent to mention here, that there was no seniority list of employees maintained before regularization of Workmen at RSD-Project and promotions were granted only on the Merit-basis considering the performance of workman in the field.

6. That further it is worth noting that the promotions to all the employees mentioned by Petitioner in this writ petition were given promotions only before regularization of their services.

7. That the claim of the Petitioner has already been considered and rejected by the Respondents and the same is being defended by filing point wise reply to the Writ Petition.

8. That the petitioner has further substantiated his claim for promotion in view of order passed by this Hon'ble Court in the case of **Sh. Jaswant Singh V's State of Punjab** in CWP No. 5822 of 2013. The benefit of promotion granted to Sh. Jaswant Singh as alleged by petitioner was in consonance with the order passed by this Hon'ble Court on dated 19.03.2013. However it is worth mentioning here that prior to regularization of Workcharge employees of Ranjit Sagar Dam no seniority list was maintained for promotion and consequent upon completion of Ranjit Sagar Dam Project a large number of workmen have since been adjusted in different wings of Water Resources Department, Punjab because of which it is not possible to frame a uniform policy of promotion on the basis of seniority and granting promotion at this belated stage as it would open up a Pandora Box for the Department.”

3. In view of the above, the present petition is disposed of, reserving the petitioner with a liberty to get it revived, in case need arises.

(AMAN CHAUDHARY)
JUDGE

22.01.2025

M.Kamra

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