

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

114-1

CWP-31826-2025

Date of Decision : December 02, 2025

NARINDER CHOPRA

-PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

-RESPONDENTS

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CWP-35751-2025

AMARJIT SINGH BIR

-PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

-RESPONDENTS

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Ankit Midha, Advocate
for the petitioner (in both writ petitions).

Mr. Sahil R. Bakshi, A.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

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1. Through the present writ petition, the petitioner seeks directions to the respondents to grant him promotion w.e.f. 01.10.1993 and to release the arrears of salary for the period commencing from the date of his notional promotion until his retirement. This relief is claimed on the ground that his junior was promoted w.e.f. 01.10.1993, vide order dated 09.11.2024, in compliance with the judgment dated 03.07.2014 passed in CWP-15731-1991 and CWP-18332-2009, along with all consequential benefits.

2. Although the petitioner remained inactive in asserting his rights for over two decades, this Court, taking into account that other similarly

situated employees, who were not parties to any litigation, have been extended the benefit of promotion, directed the respondents No.2 and 3, vide order dated 12.11.2025, to file a specific affidavit explaining why such benefits, as claimed by the petitioner, have not been granted to all similarly placed persons who fall within the ambit of the judgment dated 03.07.2014 but have not approached this Court.

3. In compliance with the directions (*supra*), the learned State counsel has today filed a reply dated 01.12.2025 on the affidavit of Mr.Jitender Pal Singh, Chief Engineer/Headquarters, Department of Water Resources, Punjab, which is taken on record. The reply discloses that the case of the petitioner and other similarly retired employees has been examined in light of the judgment (*supra*), and a speaking order (Annexure R-1) has been passed granting them the deemed date of promotion as Sub-Divisional Engineer w.e.f. 01.10.1993 on notional basis. It is further stated that the cases of all similarly situated persons are also under consideration, and those found entitled in view of the judgment (*supra*) shall likewise be extended the same benefits. The relevant paragraphs of the reply are extracted hereunder:-

“7. That in compliance of the judgment dated 03.07.2014 passed by the Hon'ble High Court in CWP No. 15731 of 1991 and CWP No. 18332 of 2009, the 96 petitioners of these writ petitions have been given ante-dated promotions by taking the cut-off date as 01.01.1990 along with arrears of pay only. However, in the case of other retirees who file writ petitions subsequently (who were not the party to the CWP No. 15731 of 1991 and CWP. No. 18332 of 2009), have also been given deemed date of promotion as SDO on notional basis (without any arrears and monetary benefits). The pay of the such retirees/petitioners have been notionally re-fixed accordingly after granting them the notional benefit of deemed date promotions

to the post of Sub-Divisional Engineer.

8. That it is respectfully submitted that regarding the claim of the petitioner to promote him w.e.f. 01.10.1993, it is worth to mention that the Department vide order No. 22/37/2009-IIP2/1599524/1 dated 21.10.2019 granted the deemed date of promotion as SDO to the present petitioner Sh. Narinder Chopra w.e.f. 12.08.1994 on notional basis. However, now after re-considering the cases of deemed date of promotions to the post of SDO in the light of Judgment dated 03.07.2014 passed in CWP No. 15731 of 1991 & 18332 of 2009, it has been found that the petitioner is eligible for deemed date of promotion to the post of SDO w.e.f. 01.10.1993. In this regard, the competent authority vide order dated 28.11.2025 granted deemed date of promotion to the petitioner Sh. Narinder Chopra as Sub-Divisional Engineer with effect from 01.10.1993 on notional basis, copy of which is annexed as annexure R-1. However, regarding the other claims of petitioner for granting him arrears of salary along with interest @ 12% and further to include the name of the Petitioner in the seniority list of the Sub-Divisional Officers after revision of Seniority as per the deemed date of promotion to be granted to the Petitioner, it is submitted that This Hon'ble Court vide Judgment dated 03.07.2014 passed in CWP No. 15731 of 1991 & 18332 of 2009 allowed arrears to the petitioners of these writ petitions only, therefore, other Officers/retirees who were not the party to the CWP No. 15731 of 1991 & CWP No.18332 of 2009, have not given any arrears of salary, hence, the petitioner Sh. Narinder Chopra is also not entitled for arrears of salary. Further the Department has not granted interest to the petitioners of CWP No. 15731 of 1991 & CWP No. 18332 of 2009, therefore, the petitioner and other retirees are also not entitled for the interest also. The petitioner and other retirees who subsequently filed their respective writ petitions for deemed date of promotion as SDO on notional basis have already been given ante-dated promotions by taking the cut-off date as 01.01.1990 without any arrears/monetary benefits and interest. It is further submitted that the petitioner and other officers have already stood retired from the Department in the year 2017 and considering his claim for re-fixing the seniority as

per the date of his notional promotions, is not feasible & viable at this stage of time.”

4. In view of the above, as the grievance of the petitioner stands redressed, the present writ petition is hereby closed.

5. Disposed of accordingly.

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6. The prayer made in the instant writ petition is alike the one enclosed in CWP-31826-2025. Therefore, in view of the reply (*supra*), as filed today in CWP-31826-2025, the instant writ petition also stands **disposed of** accordingly.

7. A photocopy of this order be placed on file of connected case.

December 02, 2025
devinder

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No