

CWP-23007-2015 (O&M)

2026:PHHC:069638



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

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CWP-23007-2015 (O&M)
Date of Decision: 05.05.2026

Charandeep Singh & Ors

.....Petitioners

VERSUS

Pb State Power Corp Ltd & Anr.

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present:- Mr. R.K. Arora, Advocate with
Mr. Prabhat K. Jalbera, Advocate,
Mr. J.S. Bhogal, Advocate and
Mr. Shivam Ahuja, Advocate
for the petitioners.

Ms. Promila Nain, Sr. Advocate with
Mr. Pranab Bansal, Advocate
for the respondent/PSPCL.

Mr. Vijay Pal, Advocate
for respondents No.3 to 117.

HARPREET SINGH BRAR, J. (Oral)

1. This Civil Writ Petition is filed under Articles 226/227 of the
Constitution of India for the issuance of an appropriate writ, order or

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direction, more particularly a writ in the nature of *Certiorari/Mandamus*, for quashing the impugned Circular No. 15/2014 dated 11.09.2014 (Annexure P-11), whereby it has been decided that henceforth the promotion to the post of Junior Engineers (Electrical) shall be made as per the initial arrangement mentioned at Sr. No. 7 of the Technical Services (Class-III) Regulations, 1996. Further for quashing of the impugned Order No. 410 dated 20.12.2011 (Annexure P-6), whereby the existing 30% promotion quota earmarked for employees possessing Diploma in Electrical Engineering with three years' experience and Matric with ITI qualification with eight years' experience as Linemen, along with 5% quota for Diploma holder Linemen, as provided under Circular No. 1/2007 dated 29.01.2007 (P-3) amending the PSEB Technical Services Class-III Regulations, 1996, has been taken away and diverted towards direct recruitment, which action is patently illegal, arbitrary, mala fide and unconstitutional.

1.1. It is further prayed that the aforesaid actions of the respondents be declared as violative of the settled principles of law, resulting in stagnation in the cadre of Linemen possessing ITI qualifications, and being in contravention of the law laid down by the Hon'ble Supreme Court in ***Dr. Ms. O.Z. Hussain vs. Union of India, 1990 (Supp) SCC 668 and***

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Council of Scientific and Industrial Research and another vs. K.G.S. Bhatt and another, (1989) 4 SCC 635, as well as the judgment passed by the Division Bench in CWP No. 20485 of 2006 decided on 11.12.2012, along with other binding judicial precedents.

1.2. Further, for quashing of the impugned Recruitment Notice No. CRA-286/2015 dated 17.06.2015 (Annexure P-10) for filling up 506 posts and Recruitment Notice dated 20.12.2017 (Annexure P-12) for filling up 300 posts of Junior Engineers (Electrical) through direct recruitment, to the extent these posts have been carved out from the promotional quota of the petitioners, the same being illegal, unconstitutional and in violation of the settled principle of “Old Vacancy Old Rule,” particularly when such vacancies had arisen much prior and were liable to be filled in accordance with the rules then in force. It is further submitted that many of the petitioners have been discharging duties against these posts on adhoc/additional basis without any extra remuneration.

1.3. Further, for issuance of a writ in the nature of *Mandamus* directing the respondents to restore the 35% promotion quota for the post of Junior Engineers (Electrical) from amongst Linemen possessing Diploma in Electrical Engineering/ITI qualification with requisite experience, and to

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grant all consequential benefits to the petitioners, including consideration for regular promotion from the due dates, payment of salary attached to the post of Junior Engineers (Electrical), along with all admissible benefits and interest @ 18% per annum.

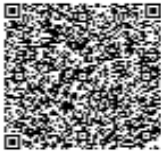
2. At the outset, learned counsel for the respondent-Corporation, on instructions from Mr. Gurpreet Singh, Senior Assistant, submits that the grievance raised by the petitioners in the present writ petition has been substantially redressed. It is submitted that out of 45 petitioners, 41 have already been promoted as J.E. (Electrical), 02 have retired as Linemen, and the cases of the remaining 02 petitioners have been deferred on account of pending disciplinary proceedings.

3. However, learned counsel for the petitioners submits that the issue regarding the challenge to Circular No. 15/2014 dated 11.09.2014 (Annexure P-11) be kept open.

4. In view of the above, the present petition is disposed of as having been rendered infructuous. However, the issue with regard to quashing of Circular No. 15/2014 dated 11.09.2014 (Annexure P-11) is kept open.

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5. Pending miscellaneous application(s), if any, shall also stand disposed of.

HARPREET SINGH BRAR)
JUDGE

05.05.2026
Parul Verma

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