

**IN THE HIGH COURT OF HIMACHAL PRADESH,
SHIMLA.**

CWP-T No.: 2622 of 2008-F.

Decided on: 30.04.2012.

Shri Ranjeet Singh Chaudhary son of late Shri Rikhi Ram,
resident of village and Post office Salol, Tehsil and District
Kangra, Himachal Pradesh.

... Petitioner.

Versus

1. Chief Secretary to the Government of Himachal Pradesh, Shimla – 2.
2. Financial Commissioner-cum-Secretary (PW) to the Government of Himachal Pradesh, Shimla – 2.
3. Er. K.K. Kashyap, Executive Engineer(C), HP, PWD.
4. Er. Amar Nath Sharma, Executive Engineer(C), HP, PWD.
5. Er. Arunesh Kumar, Executive Engineer(C), HP, PWD.
6. Er. Milap Chand Sood, Executive Engineer(C), HP, PWD.
7. Er. D.K. Nayyer, Executive Engineer(C), HP, PWD.
8. Er. Anil Kumar Sharma, Executive Engineer(C), HP, PWD.
9. Er. KPrithi Chand Palia, Executive Engineer(C), HP, PWD.
10. Er. Rakesh Jain, Executive Engineer(C), HP, PWD.
11. Er. Nzaveen Kumar Malhotra,, Executive Engineer(C), HP, PWD.
12. Er. Naresh Sharma, Executive Engineer(C), HP, PWD.
13. Er. Vijay Kumar Kapoor, Executive Engineer(C), HP, PWD.
14. Er. Balwant Singh Thakur, Executive Engineer(C), HP, PWD.

15. Er. Naresh Kumar Thakur, Executive Engineer(C), HP, PWD.
16. Er. Mohinder Singh Thakur, Executive Engineer(C), HP, PWD.
17. Er. Rakesh Gupta, Executive Engineer(C), HP, PWD.

... Respondents.

Coram

The Hon'ble Mr. Justice Rajiv Sharma, J.

Whether approved for reporting?¹ No.

For the Petitioner : Ms. Ranjana Parmar,
Advocate.

For the Respondents : Mr. Vikas Rathore, Deputy
Advocate General for
respondents No.1 and 2.

Mr. Sunil Mohan Goel,
Advocate for respondent
No.16.

Justice Rajiv Sharma, Judge, (Oral):

Ms. Ranjana Parmar, learned counsel for the petitioner has drawn the attention of the Court to the proceedings of the Departmental Promotion Committee held on 4th, 5th and 9th December, 2002 to consider the matter for promotion to the post of Executive Engineers (Civil) in HP PWD against the vacancies of the year 1994 onwards in accordance with the judgment of Hon'ble

¹ *Whether the reporters of Local Papers may be allowed to see the judgment? No.*

Tribunal passed on 16.5.2002 in O.A. No.1940 of 1997 titled ***Kuldip Rao & ors. V/S State & ors.***

2. Case of the petitioner was duly considered by the Departmental Promotion Committee for the year 1994 which was held for the cadre of graduates. His name was duly recommended as per the proceedings, more particularly, as per page 132 of the paper book. However, till date, the promotion orders of the petitioner have not been issued despite his name having been recommended by the duly constituted Departmental Promotion Committee. It is submitted at the Bar that his promotion orders have not been issued due to the pendency of the present lis. Since the name of the petitioner has already been recommended by the duly constituted Departmental Promotion Committee, his promotion order ought to have been issued by the respondent-State.

3. Consequently, in view of the observations and discussions made hereinabove, the petition is disposed of with a direction to the respondent-State to issue the promotion orders of the petitioner to the post of Executive Engineer (Civil) on the basis of recommendations made by the Departmental Promotion Committee at page 125 read with page 132 of the paper book, within a period of four weeks from today. The

petitioner is held entitled to all the consequential benefits. The pending application(s), if any, also stands disposed of. No costs.

**(Justice Rajiv Sharma),
Judge.**

April 30, 2012.
(sck).