



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

567

CWP-9248-2003 (O&M)
Date of decision: 26.03.2025

Joginder Ram and Others

....Petitioners

Versus

State of Punjab and Others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Vipin Mahajan, Advocate for the petitioners

Mr. Satnam Preet Singh, DAG Punjab

AMAN CHAUDHARY, J. (ORAL)

1. Challenge in the present petition to the impugned order dated 23.03.2003, vide which the representation of the petitioners for grant of exemption for passing departmental test, has been rejected, whereafter during pendency of the present petition, the order of reversion was also passed on 14.09.2006, Annexure P-19.

2. Learned counsel for the petitioners relies on the judgment of the Division Bench of this Court in **Rattan Lal vs. State of Punjab and Another**, CWP-1181-1997, decided on 14.08.1997, relevant paras whereof read thus:

“ Consequently, we do not find any infirmity in order of reversion of the petitioner. We dispose of this writ petition directing the respondents to consider and promote the petitioner to the rank of Superintendent Grade-II on a post which became immediately available after 10.01.1996 as the petitioner had completed 50 years of age on that day and can be exempted from passing the departmental examination under Rule 12 (Supra). Needless to mention that whatever the date would be now given to the petitioner on promotion as Superintendent Grade-II that will be reckoned for the purpose of seniority etc. for future career in service of the petitioner.

Before parting with the Judgment, we may add here that if no post of Superintendent Grade-II became available on or



after 10.01.1996, then the order of reversion should be given effect to, otherwise till the case of the petitioner is considered he will be allowed to continue as Superintendent.”

3. He further refers to the order dated 30.03.2005 Annexure P-16, whereby exemption was granted to the employees, who had completed 50 years. Prayer thus made is that the case be considered in terms of the aforesaid decision, in a time bound manner.

4. The aforesaid facts having been brought out, during the course of hearing, learned State counsel, on instructions, states that the respondents would not be averse to having a relook at the matter and decide, taking note of the afore-referred judgment, within a period of 4 months, which this Court has no reason to believe the authorities would not address in a just, fair and reasonable manner.

5. The aforesaid satisfies the learned counsel for the petitioner.

6. The matter stands disposed of accordingly and if the petitioner are found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to their interest, the same may be passed after granting opportunity of hearing to them and shall contain reasons, whereupon they shall be free to seek legal redress thereupon.

(AMAN CHAUDHARY)
JUDGE

26.03.2025

M.Kamra

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