

**Date of Decision:**30.1.2014 Vs.

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**SooperKanoon Citation :** [sooperkanoon.com/1123239](http://sooperkanoon.com/1123239)

**Court :** Punjab and Haryana

**Decided On :** Jan-30-2014

**Appellant :** Date of Decision:30.1.2014

**Judgement :**

CWP17372014 1 116 IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH Date of decision:30.1.2014 Kesar Singh .....Petitioner v.

State of Punjab and others .....Respondents CORAM: HON'BLE MR.JUSTICE JASWANT SINGH Present:- Mr.SK Sharma Budhladawale,Advocate for the petitioner Jaswant Singh,J.(Oral) Petitioner claims that he has been throughout working as Driver since very long with respondents having been assigned the duties of Driver since the year 1991.

His grievance is that vide order dated 22.6.2012 one Mr.Dalwinder Singh,Peon was promoted as Driver resulting into the petitioner being relegated to the status of Beldar.

His further grievance is that his pay has been reduced and recovery is being effected.

He further states that he, on paper has been reduced to the rank of Beldar, however, continues to perform duties as a Driver.

It is apparent that no order showing that the petitioner was promoted as Driver from Beldar is placed on record.

The documents which have been placed on record only show that petitioner-Kesar Joshi Rajinder Prashad 2014.01.30 14:09 I attest to the accuracy of this Order.

High Court, Chandigarh.

CWP17372014 2 116 Singh for certain period is shown as a work charge Driver.

Still further no material has been placed on record to show that there was any seniority list circulated showing said Dalwinder Singh to be junior to the petitioner.

Not only that, the order of Dalwinder Singh being promoted on regular basis as Driver has now been challenged after a delay of more than 1 year. At the time of hearing, realising that issue involves disputed questions of fact and the Court is not inclined to interfere in the matter, learned counsel prays for permission to withdraw the present writ petition with liberty to file a civil suit in accordance with law.

Ordered accordingly.

30.1.2014 (Jaswant Singh) joshi Judge Joshi Rajinder Prashad 2014.01.30 14:09 I attest to the accuracy of this Order.

High Court, Chandigarh.

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