
(1976) 08 P&H CK 0013
In the Punjab And Haryana At Chandigarh
Case No : Civil Writ Petition No. 6409 of 75

Kanwal Parkash etc.

APPELLANT

Vs

The State of Punjab etc.

RESPONDENT

Date of Decision : 13-08-1976

Acts Referred:

Citation : (1977) 1 ILR (P&H) 40

Hon'ble Judges : O. Chinnappa Reddy, Acting C.J.; Surinder Singh, J; M.R. Sharma, J

Bench : Full Bench

Advocate : Kuldip Singh, Bar-at-law and R.S Mongia, for the Appellant; H.L. Sibal G.S. Chawla, S.C. Sibal for Respondents Nos. 1 and 2, B.S. Khoji, K.P. Bhandari, in Civil Writ No. 998/76 for Respondent No. 5, Gopi Chand and S.P. Soni for Respondents 3 to 7, for the Respondent

Judgement

M.R. Sharma, J.—Common questions of law involving the interpretation and Constitutional validity of the instructions relating to the reservation of promotional posts for the members of the scheduled castes/tribes and backward classes are involved in Civil Writ Petitions Nos. 6409 of 1975, 976 of 1974 and 998 of 1976, which were admitted to hearing by a Full Bench. All of them are being disposed of by this judgment.

2. Civil Writ Petition No. 6409 of 1975, has been filed by-six employees of the State of Punjab. The Petitioners Nos. 1 and 2 are serving in the Secretariat as Deputy Superintendents and Petitioners Nos. 3 to 6 are serving as Assistants.

3. The Petitioner No. 1 entered service of the Patiala and East Punjab States Union as a Clerk on May 3, 1945. He was promoted to the post of an Assistant on December 14, 1957, and to the post of a Deputy Superintendent on January 10, 1975. He is 51 years old.

4. The Petitioner No. 2 joined the service of the erstwhile State of Punjab as a Clerk on October 30, 1948. He was promoted as an Assistant on January 11,

1958, and as Deputy Superintendent on September 25, 1975. He is 52 years old.

5. The Petitioner No. 3 joined service of the erstwhile State of Punjab as a Clerk on October 6, 1948, and was promoted to the post of an Assistant on May 16, 1958. He is 50 years old.