
(2011) 04 SHI CK 0191
In the High Court Of Himachal Pradesh
Case No : CWP No. 105 of 2010

The Chief Engineer and Others

APPELLANT

Vs

Secretary Bijlee Majdoor Sangh

RESPONDENT

Date of Decision : 05-04-2011

Acts Referred:

Citation : (2011) 04 SHI CK 0191

Hon'ble Judges : Deepak Gupta, J

Bench : Single Bench

Final Decision : Dismissed

Judgement

Deepak Gupta, J.—This petition is directed against the order of the Presiding Officer, Labour Court-cum-Industrial Tribunal, Dharamshala dated 27.12.2008 whereby he allowed the petition filed by the Respondent on behalf of Milap Chand and whereby it was held that Milap Chand was senior to Paramjit Singh and therefore entitled to be promoted as Regular Special Foreman w.e.f. 22.12.1997 on which date his junior Paramjit Singh had been promoted.

2. The learned Tribunal after going through the entire evidence has come to a finding of fact that Milap Chand was promoted as Work Charge Foreman on 10.10.1975; thereafter promoted as Work Charge Special Foreman vide order dated 2nd May, 1988 and as Regular Forman w.e.f. 29.10.1991. On the other hand Paramjit Singh was employed as Work Charge Foreman from 4.4.1984 and was promoted as Regular Foreman in the year 1994. This finding is based on the statement given by R.W. -1 Madan Bisht, Jr. Assistant, Shanan Power House, run by the Petitioners. Thus Milap Chand was definitely senior to Paramjit Singh. The only relief granted is that Milap Chand should also be promoted as Regular Special Foreman w.e.f. 22.12.1997 on which date Paramjit Singh was promoted. There is no error in the order of the learned Tribunal. This Court in writ jurisdiction cannot go into the factual aspect of the matter. Therefore, I find no merit in the petition, which is accordingly dismissed. No order as to costs.