
(2012) 11 P&H CK 0122

High Court Of Punjab And Haryana At Chandigarh

Case No: LPA No. 1422 of 2012 (O and M)

Kuldeep Chand

APPELLANT

Vs

District and Sessions Judge

RESPONDENT

Date of Decision: Nov. 5, 2012

Citation: (2013) 1 SCT 88

Hon'ble Judges: Rajiv Narain Raina, J; Hemant Gupta, J

Bench: Division Bench

Advocate: Ravi Kant Sharma, for the Appellant;

Final Decision: Dismissed

Judgement

@JUDGMENTTAG-ORDER

Hemant Gupta, J.

CM No. 3755-LPA of 2012

In view of the averments made in the application, the same is allowed and delay of 160 days in filing the appeal stands condoned.

LPA No. 1422 of 2012

1. Challenge in the present appeal is to an order passed by the learned Single Judge of this Court on 27.2.2012, whereby the writ petition filed by the appellant challenging the action of respondent declining promotion remained unsuccessful. It is argued that the Chandigarh Administration has not framed separate rules for appointment or promotion, therefore, the Rules of Punjab are applicable for the purpose of promotion of employees in Chandigarh Administration. It has been found by the learned Single Bench that the appellant cannot be said to have knowledge of Punjabi, as he cannot write Punjabi. In terms of the Rules applicable for the purpose of promotion, the knowledge of Punjabi is a necessary condition. Therefore, the person who cannot write Punjabi cannot be deemed to be having knowledge of Punjabi.

Consequently, we do not find that there is any illegality in the order passed by learned Single Judge, which may warrant interference in appeal.

Dismissed.