

Supreme Court of India

Punjab State Electricity Board ... vs Sukhdev Raj Sharma And Ors. on 30 January, 1987

Equivalent citations: JT 1987 (1) SC 333

Author: A Sen

Bench: A Sen, B Ray, E Venkataramiah

ORDER A.P. Sen, J.

1. These applications for directions by the State Electricity Board appear to be wholly misconceived. The ad interim order dated September 15, 1980 which left undisturbed the promotions already made, was an interim order and it came to an end with the dismissal of the appeals being C.A. Nos. 2006-10/86 by the Court's order dated February 18, 1986 as being infructuous. The Court expressed no opinion as to the validity or otherwise of the quota rule since all the petitioners in the writ petition before the High Court had in the meanwhile been promoted as Junior Engineers and all legal contentions kept open. This question came up for consideration in the subsequent decision of this Court in Punjab State Electricity Board, Patiala v. Ravinder Kumar Sharma, which lays down that the fixation of a quota as between diploma holders and non-diplomaholders Line Superintendents for purposes of promotion, who were integrated into a common cadre by the State Electricity Board, was wholly arbitrary and irrational and therefore, violative of Article 14 of the Constitution. Such being the legal position, we find no justification for the State Electricity Board expressing its doubt and difficulty as to the law applicable.

2. The applications for directions are accordingly dismissed.