

IN THE HIGH COURT OF HIMACHAL PRADESH, SHIMLA.**LPA No. 522 of 2026****Date of decision: 22.09.2026**

Satpal Singh Chauhan	...Appellant
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Versus

State of H.P. & Ors.	...Respondents
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The Hon'ble Mr. Justice G. S. Sandhawalia, Chief Justice.***The Hon'ble Mr. Justice Bipin C. Negi, Judge.****Whether approved for reporting?***For the Appellant:** Mr. Vishwa Bhushan, Advocate.**For the Respondents:** Mr. Gobind Korla, Additional Advocate General.**G. S. Sandhawalia, Chief Justice (Oral)**

In the present appeal, the challenge is to the order passed by the learned Single Judge in **CWP No. 9099 of 2026**, titled as **Satpal Singh Chauhan vs. State of H.P. & Ors.**, whereby the petition filed by the present appellant was dismissed on 15.06.2026 in *limine* on account of the fact that the persons, who were promoted from the post of Lecturers to Principals (School Cadre) on 28.02.2026 (Annexure P-15) were having Sr. Nos. 3780 to 3926, whereas the petitioner's seniority number was 4892 and there was a gap of 900 candidates between the last selected candidate and the petitioner and, therefore, the *locus standi* to challenge the

promotion order, was without any basis. The argument that all the promoted candidates belonged to Scheduled Castes category, was not accepted and accordingly it was held that their promotion does not adversely affect the petitioner, as the gap between the last selected candidate and the petitioner was more than 900 candidates and all of them were senior to him. Therefore, it was held that the petition was misconceived and abuse of the process of law and the same was dismissed the same with a cost of Rs.25,000/-.

2. Learned counsel for the appellant has again tried to convince that it was a case where his ACRs had been called for and he was within the zone of consideration while referring to communication dated 02.12.2025, whereby the ACRs of Lecturers had been called for from all the Deputy Directors of Higher Education and the petitioner's ACR had also been forwarded by the Government Senior Secondary School Killour, District Sirmaur, H.P. to the said officer on 03.12.2025.

3. It is in such circumstances that, it has been argued that the prayer as such was to exclude on account of the all reserved Scheduled Castes quota posts, promoted on the basis of seniority-cum-merit without any benefit of reservation.

4. We have gone through the paper book as such and apparently, it is not disputed that Uttam Singh, the last promoted candidate out of the list of 28, as noticed by the learned Single Judge, was at Sr. No. 3926 and had been apparently appointed on regular basis way back on 23.02.2000. As per the petitioner's own case, he has been appointed only on 09.02.2002 in service and, therefore, there is almost a gap of two years in service between the last promoted candidate and the petitioner. Merely because his ACR had been called as such, would not give him any cause of action to challenge the promotion order, as it is not disputed that there is only a right of consideration and no absolute right to promotion and no junior to the petitioner as such had been promoted, which could give him a cause of action.

5. It has also been brought to our notice that instructions dated 28.02.2026 (Annexure P-4) had been addressed to the Advocate General by the Deputy Secretary (Education) qua the pendency of **CWP No. 20669 of 2025, titled as Behari Lal & Anr. vs. State of H.P. & Ors.**, wherein it had been mentioned that after the preparation of Roster Register, a shortfall of 28 posts of Scheduled Castes category from Lecturer cadre and 8 posts of Scheduled Tribes category in Headmaster cadre had been found. The

incumbents upto seniority No. 3926 had been promoted and the petitioners in that case, namely, **Behari Lal & Anr.**, who were having seniority Nos. 4005 and 4006, for the State had taken a stand that they would be considered for promotion as and when the respective category reached their seniority position.

6. In the present case, as noticed, the petitioner was even further below and was at Sr. No. 4892 and, therefore, the learned Single Judge has rightly dismissed the writ petition in *liminie*. It is also pertinent to notice that if the petitioner had any grievance as such on the promotion list having been issued, he should have firstly filed a representation, but he had chosen not to do so and came straight to the Court. In such circumstances, the learned Single Judge rightly held that there was no case made out while dismissing the writ petition and imposing a costs of Rs. 25,000/-.

7. In such circumstances, we are of the considered opinion that in absence of any junior having been appointed, no cause of action arose for the petitioner to approach the Court and the learned Single Judge was right in dismissing the writ petition. Resultantly, we do not find any plausible reason to interfere with the well reasoned order passed by the

learned Single Judge. Accordingly, the appeal is dismissed, so also pending applications, if any.

(G. S. Sandhawalia)
Chief Justice

22nd September, 2026
(sanjeev)

(Bipin C. Negi)
Judge