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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

CNR No. DLHC010402692026

+ **W.P.(C) 12485/2026 & CM APPL. 57904/2026**

CHHOTE LAL

.....Petitioner

Through: Mr. Abhijeet Vikram Singh,
Advocate.

versus

UNION OF INDIA & ANR.

.....Respondents

Through: Mr. Vishwa Pal Singh, CGSC with
Mr. Hari Mohan, GP and Mr. Srajan
S. Kulshrestha, Ms. Annapurna Goel,
Advocates for R-1.
Mr. Chetanya Singh, Mr. Ilesh
Shukla, Mr. Chetan Sharma, Mr.
Samarth Tyagi, Mr. Vishnu Kumar,
Advocates for PCI.

CORAM:

HON'BLE MR. JUSTICE SANJEEV NARULA

ORDER

25.08.2026

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1. The Petitioner joined the Respondent-Council in August, 1994 as a Peon. He was thereafter promoted as Lower Division Clerk ("LDC") in 1999 and as Upper Division Clerk ("UDC") in December, 2008.
2. The Petitioner contends that under the applicable Recruitment Rules, a UDC with ten years of regular service is eligible to be considered for promotion to the post of Accountant. The sole post of Accountant fell vacant upon the superannuation of the incumbent on 31st March, 2025. The



Petitioner asserts that, having completed the requisite qualifying service as UDC, he is eligible to be considered against the said vacancy.

3. Aggrieved by the Respondents' failure to consider his case for promotion, the Petitioner approached the National Commission for Scheduled Castes ("NCSC"). During the proceedings before the NCSC on 12th February, 2026, the Registrar-cum-Secretary of the Respondent-Council stated that a Departmental Promotion Committee ("DPC") would be convened within one month.

4. It is stated that although DPC meetings were convened in March, 2026, no decision on the Petitioner's candidature for promotion has been taken. Counsel for the Petitioner, therefore, confines the relief sought to a time-bound consideration of his candidature. The other reliefs are not pressed.

5. Counsel for the Respondents states that another DPC is likely to be convened shortly, but is unable to indicate the timeframe within which the same would be held.

6. The Supreme Court in *Ajit Singh (II) v. State of Punjab*,¹ has reiterated that while an employee does not have an indefeasible right to promotion, an employee who satisfies the eligibility and zone criteria has a right to be considered for promotion in accordance with the applicable rules. Considering that the promotional post is stated to be vacant and the Respondents themselves propose to convene a DPC, the Petitioner's case ought to be considered within a reasonable timeframe.

7. Accordingly, the present petition is disposed of with a direction to the Respondents to convene the DPC and consider the Petitioner's candidature



for promotion to the post of Accountant, in accordance with the applicable Recruitment Rules, within a period of eight weeks from today.

8. It is clarified that this Court has not expressed any opinion on the Petitioner's eligibility or suitability for promotion, which shall be considered independently by the competent authority in accordance with law.

9. The petition is disposed of in the above terms, along with pending application(s), if any. All rights and contentions of the parties are left open.

SANJEEV NARULA, J

AUGUST 25, 2026/ab

¹ 1999) 7 SCC 209.