

IN THE HIGH COURT FOR THE STATES OF PUNJAB  
AND HARYANA AT CHANDIGARH.

CWP No. 3809 of 2015. [O&M]  
Date of Decision: 06<sup>th</sup> April, 2015.

S.K.Sehrawat  
Versus  
Petitioner through  
Mr. Aman Arora, Advocate

Union of India & Ors. Respondents

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**CORAM:HON'BLE MR. JUSTICE SURYA KANT  
HON'BLE MR. JUSTICE P.B.BAJANTHRI**

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- 1. Whether Reporters of local papers may be allowed to see the judgment?**
- 2. To be referred to the Reporters or not?**
- 3. Whether the judgment should be reported in the Digest?**

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**SURYA KANT, J. [ORAL]**

The petitioner approached the Central Administrative Tribunal, Chandigarh Bench, Chandigarh with multiple grievances including the claim for promotion as Additional Principal Chief Conservator of Forests [for short 'APCCF'].

The petitioner who is 1982 Batch Indian Forest Service officer of Orissa Cadre, was taken on deputation in the Government of India as a Conservator of Forests on 27.07.2006. He was holding the same rank in his parent cadre also. Subsequently, the petitioner was promoted as Chief Conservator of Forests vide notification dated 05.05.2009 issued by the Government of Orissa [P-2].

Having been promoted as Chief Conservator of Forests, the petitioner staked his claim for further promotion as APCCF while he was still on deputation. The Tribunal allowed that relief subject to the rider which was rightly imposed, namely, that he would be entitled to such promotion only if any one of his junior was so considered and promoted. Such a claim was eventually turned down by Government of India and the Tribunal has upheld that order in review proceedings on the ground that no one from the 1982 Batch was inducted in the rank of APCCF till the petitioner retired from service on superannuation.

The aggrieved petitioner has approached this Court.

On 03.03.2015 the case was adjourned to enable the counsel for petitioner to point out whether or not the turn of 1982 Batch officers for promotion as APCCF had come?

It is not in dispute that no member of IFS of 1982 batch of Orissa Cadre or any other junior of the petitioner was promoted as APCCF till he retired on attaining the age of superannuation. That being so, no fault can be found with the order passed by the Union of India or the one by the Tribunal in review proceedings.

Faced with this, learned counsel for the petitioner submits that though the petitioner stood promoted in the rank of Chief Conservator of Forests vide notification dated 05.05.2009 [P-2], yet he was retired in the rank of Conservator of Forests only. Though an averment to this effect was made by the petitioner in the Original Application, but no such relief was sought by him. Obviously, that issue has not been considered or adjudicated by the Tribunal.

Since we do not find any merit in the petitioner's claim for promotion as APCCF, the instant writ petition is dismissed. However, he shall be at liberty to approach the Tribunal by way of a separate Original Application as regard to his grievance against retirement in the rank of Conservator of Forests despite having been promoted in the rank of Chief Conservator of Forests in his parent cadre.

**( SURYA KANT )  
JUDGE**

**April 06, 2015.  
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**( P.B.BAJANTHRI )  
JUDGE**