

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

Date of decision: 02.08.2016

CWP No.17513 of 1995

R.K.Gupta

...Petitioner

Vs.

State of Haryana & another

...Respondents

CORAM: HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. Vipin Mahajan, Advocate, for the petitioner.

Ms. Shruti Jain Goel, AAG, Haryana.

RAJIV NARAIN RAINA, J. (ORAL)

The claim in the instant petition is for senior/selection grade, which benefit has been denied to the petitioner on account of his record of service not being satisfactory as per the requirements of Haryana Government instructions dated 18.05.1989. The criteria adopted for award of senior/selection grade on completion of 8/16 years of service has to be accompanied by satisfactory record of service which conform to cases of promotion. This is because senior/selection grade benefit is awarded in lieu of promotion to avoid stagnation where chances of promotion are few and far between. A perusal of the record of service of the petitioner from the years 1971-72 to 1994-95, reproduced in preliminary objections (ii) of the written statement, do not justify grant of such benefit.

Mr. Vipin Mahajan's submission that the 'Below Average' remarks recorded in the ACRs for the years 1978-79 and 1983-84 were expunged, has been explained by Ms. Shruti Jain Goel to mean that though

the sting of the remarks were expunged, but overall grading remained the same i.e. 'Average'. In view of this, the petitioner fails to make the benchmark of promotion i.e. at least 70% of 'Good' reports to his credit and on these premises the respondents have not committed any error in declining the request for senior/selection grade at the two stages.

I would, therefore, find no reason to interfere in this matter and would dismiss the petition without costs.

[RAJIV NARAIN RAINA]
JUDGE

02.08.2016
Vimal

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*