

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

CWP No. 24637 of 2015
Date of decision: 16.03.2016

Avtar Singh Sodhi

....Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. B.S. Jaswal, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner challenges the order dated 20.04.2015 (Annexure P-10) whereby, his claim for promotion to the post of BDPO was rejected after the directions issued by this Court to consider the case of the petitioner in view of the legal notice which had been served. The reason for rejection is that there was a charge sheet dated 09.11.2006 against the petitioner when a DPC was conducted on 22.09.2008 and accordingly, his case was kept in a sealed cover. Thereafter, punishment was imposed on 21.02.02011 of forfeiture with cumulative effect and due to which his case could not be considered in the subsequent DPC held on 22.09.2011. Thereafter, from 22.09.2011 till 28.02.2015, no meeting was held for considering the promotions to the post of BDPO and eventually, the petitioner retired on 28.02.2015.

Counsel for the petitioner has argued that promotion orders have been passed immediately after his retirement and he was purposely not promoted and the DPC was kept pending to await his retirement.

The said argument is without any basis. Admittedly, the petitioner had been given opportunity vide order dated 26.11.2015 to show that any such promotion was made after his retirement to substantiate the argument raised. In spite of two opportunities having been granted, no material has been placed on record to demonstrate the said fact.

Resultantly, this Court is of the opinion that the reasons given in the impugned order would not warrant interference under Article 226 of the Constitution of India and accordingly, the present writ petition is dismissed.

16.03.2016
shivani

(G.S. SANDHAWALIA)
JUDGE