

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

CWP-14004-2017

Decided on: 27.06.2017

Vikash Kumar Gupta and another

.... Petitioners

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDIP AHLUWALIA

Present: Mr. N.R. Dahia, Advocate,
for the petitioners.

SUDIP AHLUWALIA, J (ORAL)

Relies upon the decision of a Coordinate Bench of this Court in CWP No.9711 of 2012 dated 19.05.2017. It transpires that the order of rejection of promotion vide impugned memo No.201 dated 27.04.2012 (Annexure P-8) by which promotion was denied to the petitioner No.1, no longer sustains as subsequently appointment orders to similarly situated persons were issued, after which their writ petitions were rendered infructuous.

In the given circumstances, the Diploma obtained by the petitioners through Distance Education Mode can no longer be treated as a disqualification in their case considering the admitted precedents noted in the aforesaid decision of the Coordinate Bench.

The writ petition is, therefore, allowed. The respondents are directed to ensure that the petitioners are not denied their promotion before their juniors in service for this particular reason alone, i.e., of having obtained Diploma through Distance Education Mode.

**(SUDIP AHLUWALIA)
JUDGE**

27.06.2017

Dinesh

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No