

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

RSA No. 6089 of 2014 (O&M)
Date of decision : December 07, 2017

Dr. Dev Raj Assistant Director (Retd)

..... Appellant

v.

State of Punjab and others

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Satish Goel, Advocate
for the appellant.

Mr. HS Sitta, AAG Punjab

Ajay Tewari, J (Oral)

This appeal has been filed against the concurrent judgments of the Courts below dismissing the suit filed by the appellant.

The appellant had claimed that he had to be given promotional pay scale w.e.f 1.1.1996. Both the Courts below noticed that there were two conditions for the grant of promotional pay scale. The first condition was that at-least 50% of the record should be good, and the second was that out of the last three ACRs, two must be good. As regards the appellant, both the Courts below found that though he fulfilled the first condition yet he did not have two good ACRs out of the last three ACRs and consequently rejected the claim.

Counsel for the appellant has argued that firstly these adverse

ACRs were never communicated to the appellant. Learned AAG Punjab has

countered this by arguing that at that time there was no requirement of communicating average reports and in any case the appellant did not fulfill the criteria of having two good ACRs out of the last three ACRs.

Counsel for the appellant is not in a position to challenge this argument. In the circumstances, no fault can be found with the judgments of the Courts below and consequently, this appeal is dismissed.

Since the main case has been decided, the pending C.Ms, if any, also stand disposed of.

December 07, 2017

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**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No