

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.7128 of 2018

Date of Decision: 01.08.2018

Mukesh Kumar

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. S.K. Yadav, Advocate,
for the petitioner.

RAJIV NARAIN RAINA, J.(Oral)

The petitioner was charge-sheeted on November 10, 2016 for major misconduct. The promotion of the alleged juniors was made vide order dated November 15, 2017. The petitioner claims that his turn for promotion came on August 22, 2016. In cases of promotion the date of occurrence of vacancy is not relevant but when the consideration takes place through the Departmental Promotion Committee. Disciplinary proceedings start with the charge-sheet as explained in Union of India vs. K.V. Jankiraman, AIR 1991 (3) SC 527 therefore, the petitioner's case for promotion from the date juniors have been promoted will depend on the result of the inquiry.

Accordingly, the petition is dismissed.

**(RAJIV NARAIN RAINA)
JUDGE**

01.08.2018

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No