

S/L. 5.
07.11.2019
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**Calcutta High Court
In The Circuit Bench At Jalpaiguri
Appellate Jurisdiction**

WPA 188 of 2019

Dharmendran Narayanan @ N. Dharmendran
-Vs.-
Union of India & Others

Ms. Sreemoyee Ghosh Majumdar,
... for the petitioner.

Mr. Kunaljit Bhattacharjee,
...for the respondents.

The writ petitioner was graded as head constable performing duties of radio operator with the Border Security Force.

During the relevant period of assessment i.e. 2015-2016 he was graded good but it was recorded that his knowledge of radio operation was average and he also needs to improve his attitude in discharge of duty.

The writ petitioner claims that he has been denied promotion despite being senior.

The A.P.A.R. (Annual Performance Appraisal Report) of the petitioner has been produced along with the writ petition.

It is now well settled that a person is entitled to be considered for promotion and is not entitled to promotion as a matter of right. The endorsement in the APAR clearly indicates that the petitioner needs to improve his basic skills of radio operation as also his attitude towards his superiors and colleagues.

The same is indeed a ground to deny promotion to the petitioner.

The writ petitioner argues that in 5 previous years on three occasions his APAR was marked "Very Good".

The same by itself cannot be a ground for entitling the petitioner to be promoted. It is reasonably hoped that the petitioner improves his basic skills as radio operation and particularly his attitude towards his colleagues to have better prospect for promotion on the next occasion.

In view of the above, no relief can be granted to the writ petitioner in the instant proceedings.

Accordingly, the writ petition is dismissed.

No order as to costs.

Photostat certified copy of this order,
if applied for, be supplied to the parties
on urgent basis.

(Rajasekhar Mantha, J.)