

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.23937 of 2016
Date of decision 28.01.2020

Gulab Singh

...Petitioner

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Manoj Chahal, Advocate,
for the petitioners.

Mr. Harish Nain, AAG, Haryana.

Ritu Bahri, J.

Petitioner is seeking quashing of Clause 5 of his promotion order dated 29.12.2014 (Annexure P-1), whereby a condition has been imposed that he has to qualify the State Eligibility Test in Computer Appreciation and Applications (SETC) within the period of probation of one year, extendable by one year, failing which, he will be reverted back as per departmental rules.

Learned counsel for the petitioner has referred to the judgment dated 15.01.2014 passed by this Court in **Jai Kanwar vs. State of Haryana and others**, CWP No.21630 of 2010 (Annexure P-5), wherein it has held that in the absence of any statutory rules, such type of condition cannot be imposed in the promotion order.

Upon notice, written statement on behalf of respondent Nos.1 to 3 has been filed. Learned State counsel has informed that Division Bench of this Court in **Nissar Ahmed vs. State of Haryana and another**,

condition of passing **State Eligibility Test in Computer Appreciation and Application (SETC)** test is not contrary to the rules.

In view of the said decision given by the Division Bench of this Court, no further orders are required to be passed in this petition.

Disposed of accordingly.

28.01.2020
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No