

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

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2023:PHHC:105346

RSA-3840-2019

Date of decision: 16.08.2023

SURESH KUMAR

..Appellant

Versus

HARYANA GOVERNMENT AND ORS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. M.S. Randhawa, Advocate for the appellant.

Ms. Vibha Tewari, AAG, Haryana.

ANIL KSHETARPAL, J(Oral)

1. The correctness of the concurrent findings of facts arrived at by the Courts below is challenged by the plaintiff in the second appeal.
2. In substance, the plaintiff claims that he is entitled to be promoted as a lecturer in a school as a vacancy has arisen under the Reserved Category.
3. Both the Courts have held that the employee is not entitled to promotion even if the vacancy arises it is the prerogative of the employer to decide when the employee is required to be promoted.
4. The Courts have also held that the suit filed by the plaintiff was beyond the prescribed limitation period as he filed the suit in the year 2012, whereas, the alleged promotion, if any, became due in the year 1992.
5. Keeping in view the aforesaid facts, no ground to interfere is made out.
6. Dismissed accordingly.
7. All the pending miscellaneous applications, if any, are also disposed of.

August 16th, 2023

(ANIL KSHETARPAL)

Ay

JUDGE

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No