

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

LPA-440-2022 (O&M)
Date of decision:23.01.2024

Border Roads Organization and others ...Appellants

Vs.

Rajeev Chandra ...Respondent

**CORAM: HON'BLE MS. JUSTICE RITU BAHRI, ACTING CHIEF JUSTICE
HON'BLE MR. JUSTICE AMAN CHAUDHARY**

Present: Mr. Arun Gosain, Senior Govt. Counsel,
for the appellant-UI.

Mr. Shreenath A. Khemka, Advocate for the respondent.

RITU BAHRI, ACTING CHIEF JUSTICE (ORAL)

1. The appellant has filed this Letters Patent Appeal against the judgment dated 16.03.2022, whereby the writ petition filed by the respondent has been allowed.

2. The learned Single Judge has allowed the petition keeping in view that in the year 2011, petitioner-Rajeev Chandra has not been considered for promotion, but his juniors were promoted to the post of Executive Engineer on the ground that the appellant had been awarded a punishment of ‘censure’ in the year 2009. The learned Single Judge has rightly allowed the writ petition by observing that the punishment of ‘censure’ cannot be a ground to deny the promotion to the petition. Learned counsel for the respondent has also referred to the clarification issued by Government of India wherein it has been observed that minor

punishment of ‘censure’ is not a ground to deny the promotion. The punishment in the present case was issued in the year 2009 and the case of the promotion was considered and denied in the year 2011.

3 No case is made out to deny promotion to an employee, who otherwise has good record except on the ground of censure.

4. In view of the above facts and circumstances, we find no ground to interfere in the impugned judgment. The present Letters Patent Appeal is dismissed.

5. All the pending applications stand disposed of.

(RITU BAHRI)
ACTING CHIEF JUSTICE

(AMAN CHAUDHARY)
JUDGE

January 23, 2024

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No