



CWP-2182-2016(O&M)

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

210

CWP-2182-2016(O&M)
Date of Decision: 22.05.2024

SATPAL SINGH

...Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present:- None for the petitioner.

Mr. Sandeep Singh Mann, Addl. A. G., Haryana.

TRIBHUVAN DAHIYA, J. (Oral)

The petition has been filed seeking a writ of *certiorari* quashing the order dated 06.03.2013, Annexure P-8, whereby petitioner's claim for promotion for the post of Lecturer in Economics has been rejected. Further, a writ of *mandamus* has been sought directing the respondents to promote him to the post with effect from the date of passing M.A. (Economics), i.e., 30.10.1997.

2. Briefly, facts relevant to decide the matter are, the petitioner was appointed as Science Master on 24.03.1993, and promoted as Lecturer in English on 25.10.2007. Thereafter, promotion was sought on a different post of Lecturer in Economics with effect from 30.10.1997. He had earlier approached this Court with the same prayer by filing Civil Writ Petition



No.6685 of 2009, which was dismissed vide order dated 05.07.2011, Annexure R-1. The order was challenged before the Division Bench in LPA No.1913 of 2011, which was decided vide order dated 25.11.2011, Annexure R-2, *inter alia* directing the respondents to reconsider the petitioner's claim for promotion as Lecturer in Economics with effect from 2001, when his junior was so promoted. If found suitable in accordance with rules, he would be entitled to such promotion without any arrears of salary, though notional benefits for the purpose of fixation of salary, seniority, etc., would be admissible. Pursuant thereto, the petitioner's case was reconsidered by the respondents, and rejected vide impugned order dated 06.03.2013, on the ground that no person junior to him was promoted as Lecturer in Economics.

3. Learned State counsel submitted that the petitioner passed M.A. in Economics on 30.10.1997, while he was working as Science Master. However, at the time of promotion as Lecturer in English on 25.10.2007, he did not claim promotion as Lecturer in Economics. After working as Lecturer in English for many years, he approached this Court seeking promotion as Lecturer in Economics, which was not permissible. Even otherwise, in the light of directions issued by the Division Bench vide order dated 25.11.2011, his case was required to be reconsidered from the date his junior was promoted as Lecturer in Economics. Since none of the juniors had been so promoted, there was no ground to promote the petitioner and his case was rightly rejected.

4. Heard.

5. It is apparent on record that in terms of the Division Bench order dated 25.11.2011, the only ground on which the petitioner's case was required

to be reconsidered for promotion as Lecturer in Economics was the promotion



allegedly granted to one of his juniors. The assertion was incorrect as the respondents found that no junior had been so promoted. The fact is admitted by the petitioner himself in the replication, dated 03.09.2018, that none of his juniors has been promoted as Lecturer in Economics. Therefore, no exception can be taken to the impugned order rejecting his case.

6. Accordingly, there is no merit in the petition and it stands dismissed.

(TRIBHUVAN DAHIYA)
JUDGE

22.05.2024
Aman Dua

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