



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

**CWP No.24139 of 2024 (O&M)
Date of Decision: 16.12.2024**

Bharat Bhushan

..... Petitioner

Versus

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Lalit Rishi, Advocate for the petitioner.

Mr. Kiran Pal Singh, A.A.G., Haryana for the respondents.

MAHABIR SINGH SINDHU, J.

Present writ petition has been filed under Article 226 of the Constitution, *inter alia*, for directing the respondents to promote the petitioner against the vacant post of Assistant Director/NDPS as he is working as Senior Scientific Officer, FSL, Madhuban for the last more than five years in examining the NDPS cases.

(2) This Court on 16.10.2024 passed the following order:-

“Learned State Counsel on instructions from the quarter concerned submits that representation dated 22.12.2021 (P-6) is still pending consideration before the competent authority

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and the final decision in the matter shall be taken within six weeks from today.

Posted for 16.12.2024.

Again clarified that there is no formal notice of motion in this case.”

(3) In pursuance of aforesaid order, learned State Counsel has produced a copy of Office Order dated 27.11.2024, which is taken on record as Mark ‘X’ (*colly*). Copy thereof supplied to the opposite side.

(4) For reference, the relevant part of the aforesaid order reads as under:-

“4. After examining the representation dated 21.12.2021 and comments received from Director, Forensic Science Laboratory, Harana Madhuban (Karnal), it is observed that the petitioner is claiming promotion to the post of Assistant Director (NDPS) outside his division i.e. Chemistry whereas the existing service rules do not allow for promotion to the post of Assistant Director (NDPS) from other divisions. Further, the petitioner is claiming promotion on the post of Assistant Director (NDPS) on the basis of proposed/draft rules which are not notified yet. It is further observed that the promotion cases of other persons exemplified by the petitioner are not applicable as they are not similarly situated as explained by Director, FSL in his comments reproduced above.

Keeping in view the above stated facts and submissions made by the petitioner during personal hearing and for the reasons recorded above, the representation dated 21.12.2021 is hereby rejected, being devoid of merits.”

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(5) In view of the above development, learned Counsel for the petitioner submits that present petition be disposed off with liberty to file fresh petition with better particulars, including challenge to the order dated 27.11.2024 (*supra*).

(6) Ordered accordingly.

(7) It is clarified that above observations be not construed as an expression of opinion on merits of the case in any manner.

Pending application(s), if any, shall also stand disposed off.

16th December, 2024
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>