Court No. - 6

Case :- WRIT - A No. - 11814 of 2024

Petitioner :- Sanjeev Kumar Verma
Respondent :- State Of U.P. Thru. Prin. Secy. Deptt. Of Finance Lko. And 3 Others
Counsel for Petitioner :- Tripathi B.G. Balak
Counsel for Respondent :- C.S.C.

Hon'ble Alok Mathur,J.

1. Heard learned counsel for the petitioner as well as learned Standing Counsel for respondents.

2. The grievance raised by the petitioner in the present writ petition is with regard to his promotion to the post of Accountant w.e.f. 01.01.2024 when other similarly situated persons including his juniors have been promoted along with consequently benefits.

3. It has been submitted by petitioner that he is working on the post of Assistant Accountant since 2020 and is fully entitled and qualified to be promoted to the next higher post of Accountant. The DPC was duly constituted for the promotion to the post of Accountant where his candidature was duly considered but result of the DPC was published on 01.01.2024 where his name was missing and being aggrieved by the said order present writ petition has been filed.

4. Learned Standing Counsel has received written instructions from the Director, Internal Audit and Accounts, Uttar Pradesh. According to which the candidature of the petitioner was duly considered and he was found to be fully eligible to be promoted to the next higher post of Accountant but only due to the fact that his documents pertaining to his educational qualifications were not certified, accordingly, no orders for promotion was passed.

6. It has further been submitted that subsequently the documents have been verified and are found in order and have stated that his orders for promotion would be passed in the next Departmental Promotion Committee meeting.

7. At this stage, petitioner submits that his case has been duly considered by the D.P.C. on 01.01.2024 along with similarly situated persons who have been promoted, he should be given

promotion w.e.f. 01.01.2024 and order should be passed by the same D.P.C. which has already considered his case for promotion along with other persons who have been promoted.

8. Learned Standing Counsel could not justify the portion of the order by which it has been informed that the candidature of the petitioner would be considered in the next D.P.C.

9. Once the candidature of the petitioner has been duly considered by the D.P.C. and has been found to be qualified and only necessary orders for promotion could not be passed only to the fact that at that point of time his educational qualification documents could not be certified but subsequently relevant documents have been received from which it transpires that documents are in order and accordingly there is no infirmity for promoting him to the post of Accountant. Accordingly, it is a fit case for directing the respondents to pass appropriate orders for promotion of the petitioner to the post of Accountant forthwith.

10. A D.P.C. once constituted has to consider all the candidates placed before it for consideration. The matter of petitioner was duly considered but no final decision was taken due to his educational certificates being not verified but, undisputedly the certificates were thereafter verified.

11. Thus the matter would be deemed to be pending before the D.P.C. till a decision is taken one way or the other.

12. Let the said exercise be done by respondent No. 3, expeditiously, say, within a period of two weeks from the date a certified copy of this order is produced before him.

13. In view of aforesaid observations / directions, the writ petition stands **allowed**.

[Alok Mathur,J.]

Order Date :- 17.12.2024
KR

Digitally signed by :-
RABINDRA KUMAR
High Court of Judicature at Allahabad,
Lucknow Bench