



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

106+227

CM-17241-CWP-2025 in/and
CWP-889-2024 (O&M)
Decided on : 19.11.2025

SUNIL KUMAR

. .Petitioner

Versus

CHANDIGARH ADMINISTRATION AND ORS

. . . Respondents

**CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE VIKAS SURI**

PRESENT: Mr. Nitin Sharma, Advocate for the petitioner.

Mr. Amit Jhanji, Senior Advocate with
Mr. Shashank Sharma, Advocate and
Mr. Rohit Kaushik, Advocate
for respondents No. 1 to 3.

HARSIMRAN SINGH SETHI, J. (Oral)

CM-17241-CWP-2025

The prayer in the present application is for placing on record his
reply the relevant documents on behalf of the petitioner.

Keeping in view the averments mentioned in the application, the
same is allowed. Copies of the relevant documents are taken on record
subject to all just exceptions.

CWP-889-2024

1. In the present petition, the challenge is to the impugned order
dated 21.02.2019 (Annexure P-4) passed by the respondent No. 1-Central
Administrative Tribunal, Chandigarh Bench (herein after referred to as 'the
Tribunal') by which, the OA No. 060/00124/2017 filed by the petitioner for
his promotion from Grade D to Grade C cadre employee has been dismissed.
2. Learned counsel for the petitioner submits that there are total



**CM-17241-CWP-2025 in/and
CWP-889-2024 (O&M)**

four posts of the clerk in the Department of Hospitality, U. T., Chandigarh, out of which, 15 % quota is reserved for promotion amongst the class IV employees as per the Hospitality Department, Chandigarh Administration Group C Recruitment Rules, 2001 , and whereas, as of now, no class IV employee has been promoted in the cadre of clerks though, two posts are lying vacant in state Guest House-manning in Hospitality Department of U. T., Chandigarh (Annexure A-5) hence, the respondent be directed to consider the claim of the petitioner for the post of Clerk under 15 % quota for promotion. Thus, Petitioner claiming to be most eligible person as per seniority list has put various representations in 2010.

3. Learned counsel for the respondents submits that keeping in view the facts which have already been brought to the notice of the Tribunal that most of the work being performed by the Department of Hospitality, U. T., Chandigarh has been assigned to the CITCO in the year 2006 and CITCO is performing most of the duties of Department of Hospitality, U. T., Chandigarh, hence, the post of clerk which are lying vacant in the Department of Hospitality, U. T., Chandigarh are not being filled up as of now.

4. Learned counsel for the respondents further submits that only the claim of the petitioner can be considered by the authorities concerned at the time when the said post of clerk are to be filled in the concerned department and at present respondent department does not feel the need to fill the vacant post.

5. We have heard learned counsel for the parties and have gone through the case file with their able assistance.



**CM-17241-CWP-2025 in/and
CWP-889-2024 (O&M)**

6. Once, out of the four post, one post can be filled up from 15 % quota by promoting class IV employee (group D) to the Class III (group C) employee, who fulfils the requisite of the eligibility conditions for the said promotion, the respondents are directed that as and when, any post of clerk is filled up by promotion henceforth, the claim of the petitioner may be considered for the promotion to the post of Clerk under 15 % quota earmarked for promotion of Group D employees to Group C level will be considered by the authorities concerned, keeping in vie the eligibility conditions prescribed for such promotion.

7. Hence, the present petition is disposed of in above terms.

8. Pending civil miscellaneous application(s), if any, stand disposed of.

**(HARSIMRAN SINGH SETHI)
JUDGE**

**(VIKAS SURI)
JUDGE**

19.11.2025

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