



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

124

CWP-2473-2025

Date of Decision: 30.01.2025

Virender Kumar

.....Petitioner(s)

Versus

The State of Haryana and others

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Ms. Anju Bansal, Advocate,
for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition filed under Article 226 of the Constitution of India is seeking direction to respondent to refix his date of promotion.

2. The petitioner joined Haryana Police on 16.07.1975 and retired on 30.09.2011 on attaining the age of superannuation. The respondent considered claim of candidates belonging to reserved category for the purpose of promotion from retrospective date. The respondent passed order dated 08.09.2020 whereby it was provided that the benefit of reservation for promotion to Group-C employees of Scheduled Caste is admissible upto the highest promotional post within Group-C irrespective of number of levels. In view of said communication, the respondent vide order dated 10.09.2021 promoted many



w.e.f. 16.12.2006.

3. Ms. Anju Bansal, learned counsel for the petitioner submits that petitioner became eligible for promotion w.e.f. 01.12.2005 i.e. the date on which his name was entered in List 'F' whereas he has been promoted w.e.f. 16.12.2006.

4. The respondent vide order dated 10.09.2021 read with order dated 04.09.2020 granted ante dated promotion to petitioner and similarly situated officers belonging to Scheduled Caste. The petitioner was granted promotion w.e.f. 16.12.2006 and he is claiming w.e.f. 01.12.2005 on the ground that he became eligible on the said date. The promotion is not granted on the basis of eligibility. Eligibility makes an officer competent for consideration but does not promote him from the date of eligibility, thus, there is no substance in the claim of petitioner. However, if the petitioner finds that any junior has been promoted prior to his date of promotion, he is at liberty to file representation within 2 weeks from today which would be considered by competent authority within 6 weeks thereafter.

5. Disposed of.

30.01.2025
shivani

(JAGMOHAN BANSAL)
JUDGE

Whether reasoned/speaking
Whether reportable

Yes
No