



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

207

CWP-7618-2001(O&M)
Decided On: 29.07.2025

DR. S. K. GARG

....PETITIONER(s)

Versus

CHAUDHARY CHARAN SINGH HARYANA AGRICULTURAL
UNIVERSITY, HISAR AND OTHERS

....RESPONDENT(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Alok Mittal, Advocate
for the petitioner.

Mr. Shreenath A. Khemka, Advocate
for the respondents/University.

TRIBHUVAN DAHIYA J.(Oral)

The petition has been filed seeking a writ of *certiorari* quashing the letter dated 09.11.2000, Annexure P-7, rejecting the petitioner's case for personal promotion as Professor/Senior Scientist (Fisheries). A writ of *mandamus* has also been sought directing the respondents to promote the petitioner as such with effect from 01.01.1995, the date from which similarly placed employees have been promoted.

2. Learned counsel for the petitioner contends that after being appointed as Lecturer in the University on 10.08.1972, the petitioner was promoted as Scientist with effect from 01.01.1987. He became eligible for further promotion as Professor/Senior Scientist(Fisheries) with effect from 01.01.1995. He fulfilled qualifications required for the post of Professor or equivalent, and had the requisite service experience as well, as prescribed under clause 6.1(i) of Rule 6 of the Rules regarding promotion. However, he was not considered for promotion on account of adverse remarks in his Self



Assessment Report (SAR) for the year 1993-94. The petitioner represented against the same, and the University Vice Chancellor finally decided to expunge the adverse remarks in SAR, as conveyed to him vide letter dated 22.08.1996, Annexure P-3. Thereafter, the respondents promoted him as Professor with effect from 01.01.1997. It is claimed that after the adverse remarks in SAR were expunged, he became entitled to promotion as Professor with effect from 01.01.1995 itself, as there remained nothing adverse in his service record thereafter.

3. *Per contra*, learned counsel for the University contended that the petitioner was not eligible for promotion. As per procedure laid down under clause 7(iii)(a) of Statutes, the Assessment Committee for evaluation of Teacher/Scientist for promotion as Professor is to follow the following criteria:

Professional performance in relation to the duties and tasks assigned. The emphasis will be on the contributions and achievements of the individual in relation to the requirements and the duties assigned to the post for which he was recruited. In the case of Assoc. Professor and equivalent, the emphasis will be on quality of the research/teaching/extension work done which should be outstanding, rather than on more quantity of the work.

In terms therewith, a teacher's professional performance, including quality of research/teaching/extension work is to be assessed which has to be of outstanding quality. The petitioner was accordingly assessed by the Committee in its meeting on 12.06.1995, and its recommendations, as recorded in the annexure attached to the written statement, were as follows:

RECOMMENDATIONS:

(The Assessment Committee may give comprehensive recommendations dealing with the various aspects of the



teacher/scientist with full details about the work, conduct, experience and suitability of teacher/scientist for the promotion.)

Based on his performance and SAR, the committee does not recommend his personal promotion, as professor.

Accordingly, the petitioner was not recommended for promotion based upon his performance, and his SAR was also taken into account. He was again assessed by the Committee on 15.11.1995, then on 21.02.1997, but could not be recommended for promotion. It was only in the fourth assessment on 23.03.1998 that he was recommended for promotion as Professor. The recommendation was accepted by the University by granting relaxation in qualifications for promotion on 12.08.1997. He is, therefore, not entitled to claim promotion with effect from 01.01.1995, as he was never recommended for the same.

4. Heard.

5. A perusal of the written statement and facts placed on record by way of documents appended thereto, makes it apparent that the Assessment Committee was required to assess the petitioner's professional competence, with emphasis on outstanding quality of research, teaching, extension work, along with SAR, and recommend him for promotion as Professor. SAR was one of the factors to be considered by the Committee, and was not the sole criteria based upon which the recommendation was to be made. The petitioner was duly assessed for promotion as per the criteria prescribed, but was not found suitable in three assessments, from June, 1995 to February, 1997. It was only in the fourth assessment on 23.03.1998, that he could cross the threshold and was recommended for promotion. These facts have not been disputed by the petitioner by filing any counter affidavit. Accordingly, there is no escape from concluding that only on account of the petitioner's inability to clear the



assessment procedure, he could not be recommended for promotion as Professor with effect from 01.01.1995.

6. In view thereof, there is no merit in the petition and it stands dismissed.
7. Pending miscellaneous application(s), if any, also stand(s) disposed of.

29.07.2025
Ad

(TRIBHUVAN DAHIYA)
JUDGE

Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No