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

LPA-1227-2019 (O&M)

Date of Decision: 3rd December, 2025

THE PANIPAT CO-OPERATIVE SUGAR MILLS LTD.Appellant(s)

V/s.

VIJAY PAL AND ANOTHERRespondent(s)

**CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR**

Present: Mr. Deepak Balyan, Advocate for the appellant.

Mr. R.K. Malik, Senior Advocate, assisted by
Mr. Varun Veer Chauhan, Advocate for the respondent No.1.

ASHWANI KUMAR MISHRA, J. (Oral)

1. This Appeal assails order dated 27.08.2018 of the learned Single Judge whereby Writ Petition bearing No. CWP-12702-2016, filed by respondent No.1-Vijay Pal, came to be allowed.

2. Brief facts of the case are that respondent No.1 was appointed/joined as Attendant on 03.01.2007 and was later on promoted to the post of Clerk on 03.02.2012. A show cause notice was later on issued to him on 15.04.2016, stating that he did not fulfil the criteria for promotion. Ultimately, he was reverted to the post of Attendant which was a Class IV post.

3. Learned Single Judge has allowed the Writ Petition after noticing the qualification for the promoted posts on the date respondent No.1 was promoted i.e. 03.02.2012. The qualification then was Matric with five years' experience of Class IV post. Respondent No.1 clearly fulfilled this qualification. It was only on 27.06.2012 that qualification for

promotion was amended and the amended qualification was not fulfilled by respondent No.1. Learned Single Judge has rightly held that the qualification prescribed later for promotion on 27.06.2012 could not have been applied retrospectively nor a valid promotion made earlier as per the Policy, could be set at naught on the strength of a later prescription of the qualification.

4. Thus, we find no error in the reasoning assigned by the learned Single Judge for allowing the Writ Petition. In view thereof, the Appeal fails and is **dismissed** accordingly.

5. Pending application(s), if any, in this case, are disposed of accordingly.

**[ASHWANI KUMAR MISHRA]
JUDGE**

**[ROHIT KAPOOR]
JUDGE**

December 3, 2025
Ess Kay

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