



CWP-13344-2025

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

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CWP-13344-2025

Date of Decision: 12.05.2025

Jyotsna

...Petitioner

Versus

Haryana Power Generation Corporation Limited and others**...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Mr. Virender Kumar, Advocate for the petitioner

Mr. Ashish Yadav, Advocate for respondent Nos.1 and 2

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to the respondents to consider him for promotion on the post of Section Officer w.e.f. 06.02.2023 i.e. the date on which his junior was given promotion.

2. The petitioner joined respondent-Department as Regular Divisional Accountant (Direct) on 07.09.2017. In December' 2019, she appeared for departmental exam of SAS Part-II conducted by HPTI. She could clear Paper No.8 and 9. No exam was conducted during 2020 due to COVID-19. In December' 2021, exam was conducted. She could not appear for her remaining papers during December' 2021 as she was on Child Care Leave. No departmental exam was conducted in 2022 whereas it was conducted in March' 2023. She appeared in the exam and cleared SAS Part-II. The respondent issued tentative seniority list of Divisional Accountants



on 08.06.2022 and official respondent promoted private respondent on 06.02.2023 as Section Officer. Respondent No.3 is junior to the petitioner.

3. The petitioner claims that official respondent was bound to promote her as Section Officer on completion of five years service as Divisional Accountant. This exercise was made on the earlier occasion, however, petitioner was not considered on the basis of length of service and respondent No.3 came to be promoted despite being junior. She filed *CWP No.28790 of 2024* before this Court which was withdrawn with liberty to file representation before the competent authority. She preferred representation on 12.11.2024 but to no avail.

4. The petitioner has relied upon Paragraph 3.3 of comprehensive Recruitment and Promotion Policy for Accounts Cadre in HPGCL. For the ready reference, the said paragraph is reproduced as below:

“3.3 Remaining 50% posts, shall be filled up by promotion as under: -

- i) 40% (i.e. 80% of the promotional quota posts) from the Divisional Accountant having passed Departmental Accounts Examination (SAS) as prescribed by the Corporation and have completed 5 years service OR*
- ii) 10% (i.e. 20% of the promotional quota posts) from the Divisional Accountant on seniority basis who could not pass Departmental Accounts Examination (SAS) as prescribed by the Corporation and have completed 15 years of satisfactory service as Divisional Accountant.”*

5. From the perusal of above quoted paragraph, it is evident that for claiming promotion under 40% quota, a candidate is required to have

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five years service as Divisional Accountant and further pass departmental Accounts examination. The claim of the petitioner rests on the plea that she has completed five years service, thus, being senior, she deserves to be promoted prior to her junior. She has ignored the fact that mere five years service as Divisional Accountant is not sufficient. A candidate is required to pass departmental Accounts examination. The petitioner passed the said examination in 2023, thus, she could not claim promotion prior to 2023. The claim of the petitioner is misconceived.

6. It is made clear that if private respondent has passed SAS Part-II exam conducted by official respondent after passing of said exam by the petitioner, the official respondent would consider her for promotion prior to private respondent.

7. It is further directed that since the petitioner has cleared SAS Part-II exam in 2023 and she has already completed 5 years' service as Divisional Accountant, thus, she may be considered for promotion in accordance with law.

8. The petition stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

12.05.2025*Mohit Kumar*

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No