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

**COCP-2244-2024 (O&M)
Date of Decision: 05.09.2025**

Om Parkash Dhingra

.....Petitioner

Vs.

Sh. Amandeep Singh

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SUDEEPTI SHARMA

Present : Mr. Raj Kaushik, Advocate,
for the petitioners.

Ms. Madhu Dayal, Advocate,
for the respondent.

SUDEEPTI SHARMA J. (ORAL)

1. The present contempt petition has been filed for deliberate and intentional disobedience of order dated 12.02.2024 passed by this Court in CWP-28037-2013, which was clarified by the Division Bench of this Court in the LPA-974-2024, vide order dated 23.04.2024.

2. This Court had issued the following order dated 12.02.2024 in CWP-28037-2013:-

“9. The conceded position emerging from the record is that petitioner was eligible to promotion w.e.f. 01.11.1997. He was not extended benefit of promotion because of pending inquiry. The matter of petitioner was considered and kept in sealed cover. The sealed cover was not opened because vide order dated 17.01.2001 (Annexure P-6), he came to be subjected to pecuniary punishment of Rs.1402/-. The petitioner again became eligible for promotion in 1998 as well as 1999. The DPC



did not consider him for promotion in June as well as July' 2001 because recovery of loss was effected on 02.02.2001.

10. From the perusal of order of penalty, it is evident that as per respondent, petitioner had caused financial loss of Rs.1402/-. The loss related to act and omission committed in 1997. The inquiry was initiated in the year 2000 and he was subjected to punishment on 17.01.2001. The loss, if any, allegedly caused by petitioner was minuscule. The petitioner once could be deprived from promotion, however, he could not be denied promotion twice or thrice. The first time, he was denied promotion on the ground that he has been subjected to disciplinary proceedings and second time he was denied promotion on the ground that he was subjected to penalty of Rs.1402/- which he had paid on 02.02.2001.

11. The findings recorded by respondent are not convincing and are not based upon any statutory provision. The respondent, as per its whims and caprices, more than once, has denied promotion to the petitioners, though, he at the most could be denied promotion once especially when he was punished for causing loss of minuscule amount of Rs.1402/- which he without protest paid."

3. The Division Bench of this Court, vide its order dated 23.04.2024 in LPA-974-2024, had clarified the order dated 12.02.2024 passed by the learned Single Bench in CWP-28037-2013:-

"7. In such circumstances, we are of the considered opinion that the appeal of the bank is not liable to be entertained. The only clarification we want to make is that since the writ petitioner was seeking deemed promotion and the learned Single Judge has allowed the writ petition. The only benefit which can be granted is that the appeal is disposed of with a direction to the appellant bank to consider the case of the respondent, keeping in view the observations made above."

4. In compliance of the order dated 12.02.2024, which was clarified by the Division Bench of this Court in the LPA-974-2024, vide



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order dated 23.04.2024 to consider the case of the petitioner, reply dated 11.11.2024 by way of affidavit of Sh. Amandeep Singh, Assistant General Manager (HR), State Bank of India, Human Resources Department, Local Head Office, Sector 17-B, Chandigarh, was filed on behalf of the respondent. The relevant portion of the said reply is reproduced as under:-

*“6. It is respectfully submitted that as per promotion policy of the Bank, promotion to the post of Deputy Manager (Scale-II), from the post of Assistant Manager Officer (Scale-I), is based on selection and there is no criteria in the policy regarding automatic, time-bound promotion by efflux of time, based on seniority only. It is further respectfully submitted that as per the promotion policy, among other criteria, interview is a prerequisite for considering the suitability of a candidate for promotion. Accordingly, to consider the case of the petitioner as per applicable policy, interview committee was formed and the petitioner was requested to appear/participate in the interview before the interview committee on 10/07/2024 at 1100 Hrs. at State Bank of India, Local Head Office, Sector 17 Chandigarh vide letter dated 29/06/2024. Another letter dated 08/07/2024 was also sent to the petitioner requesting him to appear for interview on 10/07/2024. However, the petitioner chose not to appear/participate for interview on 10/07/2024 and was accordingly marked absent by the interview committee. In view of the same, the petitioner has been found ‘not suitable’ for promotion w.e.f. 01/11/1998 and/or 01/11/1999 in terms of the applicable promotion policy. The same has been duly communicated to the petitioner vide letter dated 17/08/2024, the copy of which is appended herewith as **Annexure R-1**. The copy of the relevant promotion policy is appended herewith as **Annexure R-2**.”*

5. In view of the above, since the order dated 12.02.2024 passed by this Court in CWP-28037-2013, which was clarified by the Division



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Bench of this Court in the LPA-974-2024, vide order dated 23.04.2024, has already been complied with, therefore, the present contempt is purged and rule stands discharged.

6. Needless to say that petitioner is at liberty to avail remedy as is available to him in accordance with law to challenge the order dated 17.08.2024 issued by the respondent.

7. Pending application(s), if any, also stand disposed of.

(SUDEEPTI SHARMA)
JUDGE

05.09.2025

Virender

Whether speaking/non-speaking : Yes

Whether reportable : Yes/No