



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

CWP-28465-2017

Date of Decision: 18.11.2025

Amrit Lal

...Petitioner

Versus

Union of India and Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. R.K. Gautam, Advocate
for the petitioner.

Mr. Abhilaksh Grover, Addl. Standing Counsel and
Mr. Dhruv Chowfla, Junior Panel Counsel
for respondents No.2 and 3.

Mr. F.S. Dhillon, Advocate and
Mr. Hargun Sethi, Advocate
for respondents No.4 and 5.

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of orders dated 28.07.2017 and 01.11.2017 whereby he was promoted w.e.f. 27.01.2017 instead of 01.09.2016.

2. Learned counsel representing the petitioner submits that Madan Lal, Clerk was recommended to be promoted w.e.f. 01.12.2013 by Departmental Promotion Committee (DPC). The petitioner completed 36 years' service with respondent. He was considered for promotion by DPC in its meeting held on 27.01.2017. DPC recommended his promotion w.e.f. 01.09.2016, however, was promoted by Directorate of Higher Education, Chandigarh Administration w.e.f. 27.01.2017 i.e. date of DPC.

On the ground of parity, the petitioner should be promoted from the date recommended by DPC.

3. Learned counsel representing the respondents submit that it is common principle of service jurisprudence that promotion should be made from the date of DPC or any other prospective date recommended by DPC. Promotion cannot be made from retrospective date. The opinion of DPC was subject to approval by Administration which rightly approved promotion from the date of meeting of DPC.

4. The petitioner has retired on attaining the age of superannuation. If he is promoted w.e.f. 01.09.2016 instead of 27.01.2017, there would be no change in his increment and status. As petitioner has retired and his promotion from 27.01.2017 is not going to cause any prejudice to him, this Court does not find it appropriate to interfere with decision of Chandigarh Administration.

5. ***Disposed of.***

(JAGMOHAN BANSAL)
JUDGE

18.11.2025
Prince Chawla

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No