



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

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CWP-33628-2025 (O&M)
Date of decision: 13.11.2025

Manpreet Singh

....Petitioner

Versus

Punjab State Civil Supplies Corporation Limited (PUNSUP) through its
Managing Director

....Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Ms. Mansi, Advocate
for Mr. Padamkant Dwivedi, Advocate
for the petitioner.

Ms. Mona Yadav, Advocate
for Mr. Ranjit Singh Kalra, Advocate
for the respondent.

HARPREET SINGH BRAR J. (Oral)

1. Prayer in this writ petition filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of mandamus, directing the respondents to open the case of the petitioner for promotion to the post of District Manager kept in sealed cover in DPC meeting held on 05.12.2018 (Annexure P-2) and consider the same for promotion to the post of District Manager w.e.f. 05.12.2018 (Annexure P-2). Further prayer has been made to direct the respondents to grant all consequential benefits upon his promotion to the post of District Manager w.e.f. 05.12.2018 (Annexure P-2) including the arrears of revised salary along with interest @ 9% per annum.



2. Learned counsel for the petitioner, *inter alia*, contends that the petitioner, who was appointed as Deputy District Manager (Field) on 05.12.2011 and whose probation was cleared w.e.f. 05.12.2013, has been unjustly denied promotion to the post of District Manager despite being fully eligible. It is submitted that in the Departmental Promotion Committee (DPC) meetings held on 31.10.2018 and 05.12.2018, the petitioner's case was considered but kept in a sealed cover due to the pendency of charge-sheets dated 22.05.2018 and 26.06.2018, which were subsequently dropped on 21.10.2020 and 29.06.2021. Notwithstanding this, the respondent failed to open the sealed cover and grant the promotion to the petitioner. Thereafter, in the subsequent DPC meetings, the petitioner's case was repeatedly kept in sealed cover on account of new charge-sheets, which were also later dropped. The petitioner filed representations and served legal notices dated 11.06.2024, 15.09.2024, and 15.01.2025 (Annexures P-4, P-5 and P-6, respectively), but he received only a vague reply and no substantive relief has been granted to him. As such, the respondents have created a circle where the petitioner is denied promotion perpetually. Learned counsel for the petitioner has relied upon the judgment passed by the Hon'ble Supreme Court in ***Delhi Jal Board vs Mohinder Singh, JT 2000 (10) SC 158*** and submits that the right to be considered by the DPC is a fundamental right guaranteed under Article 16 of the Constitution of India. The sealed cover procedure permits the question of promotion to be kept in abeyance till the result of any pending



disciplinary enquiry. He further submits that the sealed cover recommendations are required to be open to give effect upon the exoneration in the first enquiry. Another departmental enquiry would not create any embargo and the petitioner is entitled to the assessment by the first DPC. Learned counsel for the petitioner further contends that the findings of the disciplinary enquiry exonerating the employee would have to be given effect as it relates back to the date on which the charges were framed and it is a trite law that any subsequent departmental enquiry started by the department would not come in any way depriving him the benefit of assessment by the first DPC in his favour in the anterior selection.

3. Learned counsel for the respondent, appearing on advance notice, submits that the legal notice dated 15.09.2024 (Annexure P-5) of the petitioner would be decided by the respondent by passing a speaking order in a time bound manner.

4. Therefore, in the wake of the statement made by learned counsel for the respondent and in view of the controversy involved in the present petition, without commenting anything on the merits of the case, the present petition is disposed of. The respondent is directed to consider the legal notice dated 15.09.2024 (Annexure P-5) of the petitioner and pass a speaking order in terms of the judgment in **CWP-412-2020**, titled as ***Khuswant Singh Brar vs State of Punjab and another***, decided on **25.10.2024** and ***Delhi Jal Board's case (supra)***, after affording an opportunity of hearing to the petitioner, within a



period of 03 months from the date of receiving a certified copy of this order. Further, the decision taken thereof shall be conveyed to the petitioner. Needless to say, if the petitioner is found entitled to the relief sought, the same shall be granted forthwith by respondent.

5. Any proposal to hold the Departmental Promotion Committee (DPC) shall be kept in abeyance, until the decision on the legal notice dated 15.09.2024 (Annexure P-5) is taken.

(HARPREET SINGH BRAR)
JUDGE

13.11.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No