

CWP-10010 of 2026

2026:PHHC:051893



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

CWP-10010 of 2026
Date of decision: 06.04.2026

Deep Singh Gill

....Petitioner

versus

State of Punjab and others

....Respondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Vivek Salathia, Advocate,
for the petitioner.

Mr. Surya Kumar, AAG, Punjab.

NAMIT KUMAR, J. (ORAL)

1. Instant petition has been filed by the petitioner under Articles 226/227 of the Constitution of India seeking a writ of certiorari for quashing the recommendations of the Departmental Promotion Committee held on 06.01.2026 (Annexure P-3) to the extent of recommendation of respondent No.3 for promotion to the post of Joint Director despite respondent No.3 being not eligible for promotion on the date of DPC. Further, a writ of mandamus has been sought for directing respondents No.1 and 2 to promote the petitioner to the post of Joint Director and grant all consequential benefits to him; for issuance of a writ of certiorari for quashing the seniority list dated 10.10.2022 (Annexure P-6) and for issuance of a writ of mandamus directing the respondents to recast/refix the seniority of the petitioner in the cadre of Deputy Director/General Manager in accordance with law by placing him above respondents No.3 and 4.

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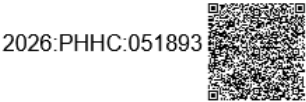


2. Learned counsel for the petitioner submits that petitioner and respondent No.3 are working as Deputy Directors in the Department of Industries and Commerce, Punjab. The next promotion is to the post of Joint Director for which five years' experience as Deputy Director is required. The petitioner is fully eligible for promotion to the said post, however, without considering his claim, the DPC in the meeting held on 06.01.2026 has recommended the name of respondent No.3 for promotion to the post of Joint Director w.e.f. 16.08.2026, the date when he would become eligible on attaining five years' experience. He has placed reliance upon the judgment of the Hon'ble Supreme Court in ***Union of India and others v. Sangram Keshari Nayak, 2007(3) SCT 512*** and submits that consideration for promotion is a fundamental right and the same has been violated by the respondents in not considering the claim of the petitioner. He further submits that for redressal of her grievance the petitioner has moved representation dated 16.03.2026 (Annexure P-4), however, no action has been taken by the respondents thereon till date. Learned counsel for the petitioner confines his prayer for deciding representation dated 16.03.2026 (Annexure P-4) and submits that at this stage, petitioner would be satisfied, if the said representation is considered and decided by passing a speaking order in a time-bound frame.

3. Notice of motion.

4. Mr. Surya Kumar, AAG, Punjab, accepts notice on behalf of the respondents and on instructions from Sh. Raminder Singh,

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Superintendent, submits that the claim of the petitioner as enumerated in the representation dated 16.03.2026 (Annexure P-4) shall be considered within a period of one month from today.

5. I have heard learned counsel for the parties and have gone through the record of the case.

6. Without expressing any opinion on the merits of the case or the claim being made by the petitioner in the present petition, respondent No.2 is directed to consider and decide the grievance raised by the petitioner in the representation dated 16.03.2026 (Annexure P-4) in accordance with law, by passing a speaking order within a period of one month from today.

7. The petition stands disposed of.

06.04.2026	(NAMIT KUMAR)
R.S.	JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No