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

LPA-1223-2026 (O&M)

Date of Decision: 4th May, 2026.

AMIT KUMAR

.....Appellant(s)

V/s

STATE OF HARYANA AND OTHERS

.....Respondent(s)

CORAM: **HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA**
 HON'BLE MR. JUSTICE ROHIT KAPOOR

Present Mr. Vishal Nehra, Advocate
 for the applicant-appellant.

Mr. Pankaj Middha, Addl. A.G., Haryana.

ASHWANI KUMAR MISHRA, J. (Oral)

CM-2996-LPA-2026

Delay of 3 days in filing of the appeal has been satisfactorily explained. Accordingly, application is allowed and delay of 3 days in filing the appeal is condoned.

LPA-1223-2026 (O&M)

1. This Appeal arises out of an order dated 24.03.2026 passed by the learned Single Bench, whereby Writ Petition i.e. CWP-8974-2026, filed by the appellant, has been dismissed.

2. Learned Single Bench has dismissed the claim of the appellant for promotion in the reserved category of employees with benchmark with disability on the ground that policy/instructions dated 17/19.04.2017 and 01.07.2022 came into existence later only when such date the promotion has been granted. The appellant, otherwise, has been granted notional promotion on the post of Assistant w.e.f. 05.09.2011. The observations

made by the learned Single Bench in Para 4 of the impugned judgement, read as under:-

“4. Considering the submissions, this Court is of the opinion that there is no illegality or irregularity in the promotion order dated 18.10.2024, whereby the petitioner has been notionally promoted as Assistant with effect from 05.09.2011 on the basis of horizontal reservation given to the persons with benchmark disabilities vide instructions mentioned hereinabove. He was earlier granted promotion as Assistant considering him a General category employee from 28.08.2020. It has not been made retrospective, as aforementioned, with notional benefits. Actual service benefits are not admissible in terms of these instructions which are not under challenge. Besides, no other junior employee has been given actual benefits.”

3. So far as the assertions contained in Para 4 is concerned, there is no factual inconsistency or infirmity shown by the counsel for the appellant. What is stated by the learned counsel that persons junior to the appellant were promoted earlier and that the appellant ought to have been granted benefit of promotion to the post of Assistant from a previous date since his juniors were granted promotion in the year 2014.

4. On being confronted with the assertions made in the Writ Petition, the appellant, apart from making general allegations with regard to promotion of juniors earlier, has not been able to invite our attention to any specific Para in the Writ Petition where specific instance of a junior having been promoted earlier, has been asserted.

5. Once that be so, we are not inclined to accept the appellant's contention that he was entitled to promotion from a previous date. It would,

otherwise, be relevant to note that in Civil Appeal No.7295 of 2012, following orders were passed by the Hon’ble Supreme Court Special Lok Adalat on 31.07.2024, which is reproduced hereinafter:-

“Learned counsel for the appellants submits that in view of the judgment of the three-Judge Bench of this Court dated 14.01.2020 in Civil Appeal No. 1567 of 2017, the Government of Haryana, General Administration Department, has issued a notification dated 25.03.2022 extending benefit of reservation in promotion to the persons with benchmark disabilities including the members of the respondent’s Association. In view of the above, it is urged that this Appeal has now rendered infructuous.

Accordingly, by the consent of the parties, this Appeal stands disposed of as infructuous.

Court fee be refunded as per Rules.”

6. In view of the fact that the benefit of reservation in promotion to persons with benchmark disability, having been granted vide notification dated 25.03.2022, we otherwise find no good ground to interfere with the impugned judgment of the learned Single Bench. The appeal accordingly lacks merit and is **dismissed**.

7. All pending applications, if any, in this case are dismissed of accordingly.

[ASHWANI KUMAR MISHRA]
JUDGE

[ROHIT KAPOOR]
JUDGE

May 4, 2026

Ess Kay

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	/	<i>No</i>