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

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CWP-25712-2025

Date of Decision: 01.09.2025

**Ram Pal Singh****...Petitioner****Versus****State of Haryana and others****...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Mr. Jagbir Malik, Advocate and  
Mr. Shivam J. Malik, Advocate for the petitioner  
Mr. Ashok Kumar Khubbar,  
Additional Advocate General, Haryana  
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**JAGMOHAN BANSAL, J.** (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 07.07.2025 whereby respondent has rejected his claim for ante-dated promotion to the post of Senior Scientific Assistant (Serology). He is further seeking setting aside of order dated 03.12.2024 whereby respondent No.5 was promoted as Senior Scientific Officer (Serology).

2. The petitioner is possessing Master's degree in Medical Laboratory Technology ('MLT'). He was working as Scientific Assistant (Serology) since 03.07.2013. Haryana Forensic Science (Group-C Scientific Staff) Service Rules, 1995 prescribe qualification for the post of Senior Scientific Assistant (Serology) by promotion. The petitioner sought promotion to the post of Senior Scientific Assistant (Serology) with retrospective effect contending that his education qualification of M.Sc. in MLT should be considered equivalent to other branches of M.Sc. His claim



was rejected by Director General of Police, Haryana vide order dated 27.01.2016 on the ground that M.Sc. in MLT is not equivalent to M.Sc. in Biochemistry/Zoology/Microbiology/Anthropology. This Court vide order dated 07.01.2025 passed in *CWP No.18889 of 2016* and *CWP No.5646 of 2024* directed the respondents to consider M.Sc. in MLT equivalent to M.Sc. in Biochemistry/ Zoology/ Microbiology/ Anthropology for promotional post. The respondent, pursuant to orders of this Court, has treated M.Sc. in MLT equivalent to other aforementioned branches of M.Sc. The respondent by impugned order dated 07.07.2025 has rejected petitioner's claim on the ground that promotion cannot be claimed as a matter of right from the date a vacancy arises. The right to promotion is subject to Rules and decision of the competent authority at the relevant time. The respondent has further observed that petitioner was not senior to Saroj Bala on 17.07.2015. Saroj Bala was promoted as Scientific Assistant (Serology) on 08.06.2012 and completed four years' service on 07.06.2015 whereas petitioner was appointed as Scientific Assistant (Serology) on 03.07.2013 and completed probation period on 02.07.2015.

3. Learned counsel for the petitioner submits that petitioner does not lay his claim to retrospective promotion as Senior Scientific Assistant (Serology). He was promoted as Senior Scientific Assistant (Serology) on 13.06.2019. Being M.Sc. in MLT, he was eligible for further promotion as Senior Scientific Officer (Serology) on completing two years' service. Saroj Bala was promoted as Senior Scientific Officer (Serology) on 03.12.2024 and she has retired on attaining the age of superannuation. The post is lying vacant. In view of previous rounds of litigation, post of Senior Scientific



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Officer (Serology) cannot be filled up via direct recruitment. The petitioner is eligible for promotion. He was even eligible on 12.06.2021.

4. Notice of motion.

5. Mr. Ashok Kumar Khubbar, Additional Advocate General, Haryana, who on advance notice is present in Court, accepts notice on behalf of respondent-State and waives service.

6. On the request of both sides, the matter is taken up for final adjudication.

7. On being confronted with impugned order, learned State counsel submits that it is factually correct that respondent has not considered petitioner's claim for the post of Senior Scientific Officer (Serology).

8. Without commenting upon merits of the case, however, considering the previous orders of this Court; the factum that respondent had withdrawn advertisement for the direct recruitment of Senior Scientific Officer (Serology) and the fact that post is lying vacant, this Court deems it appropriate to direct the respondents to consider claim of the petitioner for the post of Senior Scientific Officer (Serology) in accordance with law. Let the needful be done within 3 months from today.

9. The petition stands disposed of in above terms.

**(JAGMOHAN BANSAL)**  
**JUDGE**

**01.09.2025**

*Mohit Kumar*

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No