



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

111

CWP-23717-2025

Decided On: 16.09.2025

VINOD KUMAR

....PETITIONER(s)

Versus

STATE OF HARYANA AND ANOTHER

....RESPONDENT(s)

CORAM: HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA

Present: Mr. Sukesh Kumar Jindal, Advocate with
Ms. Komal Jindal, Advocate
for the petitioner.

TRIBHUVAN DAHIYA J.(Oral)

The petition has been pressed by learned counsel for the petitioner only to the extent a writ of *mandamus* has been sought directing the respondents to award Pay Band-IV/promotion as Associate Professor to the petitioner under Career Advancement Scheme (CAS) with effect from 21.12.2014, and release all arrears therefrom.

2. He contended that the petitioner had earlier approached this Court by filing CWP-20767-2018, which was allowed, vide judgment dated 08.07.2024, by directing the respondents to give him senior scale and selection grade of pay by counting his previous service from 11.09.2000 to 20.12.2011, and release arrears of salary with interest. The judgment has attained finality as LPA-489-2018 against the same has been dismissed by the Division Bench, vide order dated 08.04.2025. In compliance of the order, the petitioner has also been released the due benefits of senior scale and selection grade; however, his case has not been considered for further promotion under CAS for awarding Pay Band-4 (Academic Level-13 A), despite the recommendation to that effect having been made by the Principal to the



Director vide memo dated 01.03.2025, Annexure P-9. After the recommendation, three meetings of the screening/selection committee for award of Pay Band-4 to the eligible Assistant Professors have already been held, but the petitioner's case has not been considered for no reason.

3. Learned State counsel has received instructions from respondent no.2/Director General, Higher Education, vide memo dated 15.09.2025, which is retained on the case file as Annexure 'A'. She does not dispute the facts aforementioned, but contends that the benefit of senior scale and selection grade has been given to the petitioner subject to final outcome of LPA-489-2025. Although the LPA has been dismissed by the Division Bench, the Department is in the process of challenging the same before the Supreme Court, and that is the reason he has not been considered for grant of Pay Band-IV due to him since 21.12.2014.

4. Heard.

5. It is apparent on record that the petitioner has been held entitled to grant of senior scale or selection grade of pay by counting previous service from 11.09.2000 to 20.12.2011, and the benefit has also been released to him. He cannot be prevented from further promotion/grant of Pay Band-IV, which is due to him since 21.12.2014, only on the ground that the Department is to challenge the Division Bench judgment in the Supreme Court. Unless the judgment is set aside or stayed, it is the law declared and has to be followed.

6. Accordingly, the petition is disposed of directing the respondents to consider the petitioner's case for grant of Pay Band-IV/promotion as Associate Professor in the next meeting of the screening/selection committee within three months. In case he is recommended for grant of the Pay Band, it will be released to him with all due benefits including arrears of salary subject to final outcome of the SLP, if any, filed by the Department. It goes without



saying that the petitioner will further be entitled to all consequential scales/promotion(s) on that basis, subject to his eligibility, as per the Rules.

16.09.2025

Ad

**(TRIBHUVAN DAHIYA)
JUDGE**

Whether speaking/reasoned?

Yes/No

Whether reportable?

Yes/No