

H.P. University vs. Dinesh Kumar

**LPA No. 636 of 2025 with CWP No. 1713 of 2023 and
LPA No. 11 of 2023**

28.11.2025

LPA No. 636 of 2025

Present:Ms. Archana Dutt, Advocate, for the appellant.

Mr. Rajesh Kumar, Advocate, for respondents No. 2,4 to
8 and 10 to 17.

Respondents No.3 and 9 are stated to have expired

CWP No. 1713 of 2023

Mr. Vivek Singh Attri, Advocate, for the petitioner.

Ms. Archana Dutt, Advocate, for respondent No.1.

Mr. Rajesh Kumar, Advocate, for respondents No.2,3,5
to 9 and 11 to 18.

Respondents No. 4 and 10 are stated to have expired.

LPA No. 11 of 2023

Mr. Vivek Singh Attri, Advocate, for the appellant.

Ms. Archana Dutt, Advocate, for respondent No.1.

Mr. Rajesh Kumar, Advocate, for respondents No. 2,3,5
to 18.

Respondents No. 4 and 10 are stated to have expired

CMP No.28556 of 2025 in LPA No. 636 of 2025.

This application has been filed by the applicants-
respondents for restraining the respondent-University from
holding Meeting of Recruitment and Promotion Committee
(RPC) for the purpose of promotions to the post of
Superintendent Grade-II on the ground that applicants-
respondents are having benefit of a judgment of learned
Single Judge in their favour after adjudication of the issue
involved in this appeal, however, for granting stay

against the implementation of the said judgment, applicants/respondents shall be at looser end because appellant university would be making promotions to the post of Superintendent Grade-II ignoring the judgment which is in existence in favour of the applicants/respondents.

Mr. Vivek Singh Attri, Advocate for the appellants in the connected LPA submits that promotions may be permitted to be carried out subject to final outcome of the appeals and in that eventuality, no one would be at receiving ends.

Learned counsel for the applicants submits that matter has already been listed for 02.12.2025 and any promotion before adjudicating the appeals but ignoring the judgment in favour of the applicants-respondents, for the interim stay granted against that, would result into multiplicity of litigation and, it would be appropriate not to consider applicants, having judgment in their favour, for promotion, but only others who on account of impugned judgment, are to be considered after the applicants for promotion and, therefore, at least during pendency of the appeal, promotion detrimental to the interest of applicants deserves to be stayed.

Learned counsel for the appellant-University placing on record instructions, submits that eight persons are being considered for promotion in the meeting of RPC proposed to be fixed during next week and out of them

persons at serial No. 1 to 4 of instructions are senior to the applicants as well as persons at serial No. 5 to 8 of instructions who have also preferred connected LPA against the judgment passed by the learned Single Judge and at this stage at least promotion of senior most four persons is not going to harm anybody in any manner and, therefore, appellant -University be permitted to complete the proceedings with respect to senior most four persons.

The application is adjourned for consideration on 02.12.2025 along with the connected appeal with liberty to the University to file detailed reply to the application, if desired so. In the meanwhile, appellant-University may proceed further for consideration of promotion of first four senior most persons by deferring the process with respect to the rest who are agitating their rival claims in this and connected appeal till next date.

(Vivek Singh Thakur)
Judge

(Romesh Verma)
Judge

November 28, 2025
(veena)