

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH
116

CWP No. 22657 of 2014

Date of Decision: March 23, 2015

HC Khushpal Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present: Mr. Bhupinder Ghai, Advocate,
for the petitioners.

AUGUSTINE GEORGE MASIH, J. (ORAL)

It is the contention of the counsel for the petitioners that the petitioners were promoted to the rank of Head Constable by granting them exemption. On the reversion having been made, the matter was challenged before this Court and thereafter, before the Supreme Court through SLP (C) No. 12979 of 2000 titled as Dilbag Singh etc. Vs. State of Punjab etc. During the pendency of the case before the Supreme Court, Rule 13.8 of the Punjab Police Rules, 1934 was amended and one time relaxation for regularization of ad-hoc promotion was made. On the basis of the said decision on the part of the Government by amending the Rule, the petitioners are entitled to the benefit, as has been granted to the other similarly placed employees. Earlier they had preferred CWP No. 22422 of 2011, which was disposed of by this Court vide order dated 15.12.2011 (Annexure P-8) granting liberty to the petitioners to submit a representation, which was to be looked into by the

competent authority. Petitioners, accordingly, submitted a representation to respondents No. 1 and 2 on 15.02.2012 (Annexure P-9). Annexure P-10 is the receipt showing the date of deposit through registered post. Counsel contends that till date, no decision upon the representation of the petitioners has been taken nor any benefits conferred upon them or order conveyed. Counsel states that the claim of the petitioners is covered by a judgment passed by the Supreme Court in ASI Dilbag Singh (supra) and a judgment passed by this Court in CWP No. 566 of 2010 titled as Ranjit Singh and others vs. State of Punjab and others, decided on 04.03.2010 (Annexure P-7). He states that the petitioners, at this stage, would be satisfied if a direction is issued to respondents No. 1 and 2 to consider and decide the representation dated 15.02.2012 (Annexure P-9) within some specified time.

Without going into the merits of the case or commenting thereon, the present petition is disposed of with directions to the Secretary, Home Department, Punjab and the Director General of Police, Punjab, respondents No. 1 and 2 respectively, to consider and decide the representation dated 15.02.2012 (Annexure P-9) within a period of three months from the date of receipt of certified copy of this order. In case the claim of the petitioners is not to be accepted, a well-reasoned and speaking order be passed and conveyed to them forthwith.

March 23, 2015

pj

(AUGUSTINE GEORGE MASIH)
JUDGE