

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

CWP No. 24061 of 2015
Date of decision: 17.11.2015

H.C. Malkiat Ram

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. K.S. Sidhu, Advocate,
for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

The petitioner challenges the order dated 13.02.2015 (Annexure P-4) passed by respondent no. 2 whereby, the petitioner was asked to be taken back from the intermediate school course. The challenge is also raised to the order dated 14.02.2015 (Annexure P-5) passed by the respondent no. 3 whereby, the petitioner's name has been sent back from the inter mediate school course.

Counsel submits that the reasons for the respondents to take that action is that he was promoted as Assistant Armour/officiating Head Constable on ad hoc basis against a permanent vacancy of Armour on 30.06.2005 (Annexure P-2) and thereafter, vide order dated 18.11.2014, he was deputed for the inter mediate course. On 14.02.2015, he was called back on account of the fact that in his promotion order as Head Constable, the word "officiating/purely and temporary/ad hoc basis was mentioned, due to which, in view of Rule 13.9 of the Punjab Police Rules, 1934, only regular Head Constables can do the inter mediate school course. It is

submitted that it was a typographical error as such in the order dated 30.06.2005 and he has also filed a representation to respondent no. 3 to that effect in February, 2015 (Annexure P-6), which was forwarded to respondent no. 2 and which was further forwarded to respondent no. 1 . It is further submitted that similar errors have been corrected by the respondents vide order dated 04.09.2014 (Annexure P-8) and order dated 18.09.2014 (Annexure P-9) and he would be satisfied if the said representation is decided within a fixed time frame.

Keeping in view the limited relief sought and the fact that the petitioner's representation is already pending consideration, this Court does not feel necessary to call upon the State to file reply.

Accordingly, this writ petition is disposed of with a direction to respondent no. 1 to take into consideration the representation (Annexure P-6) and decide the same within a period of 2 months from the date of receipt of certified copy of the order. Needless to say that in case the relief is to be denied, the order should contain reasons.

17.11.2015
shivani

(G.S. SANDHAWALIA)
JUDGE