

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP No.9234 of 1999

Date of Decision:22.11.2016

Rajender Singh

...Petitioner

Vs.

The State of Haryana & others

...Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present:- Mr. Mohan Singh Chauhan, Advocate
for Mr. R.S. Bains, Advocate
for the petitioner.

Ms. Shruti Jain Goyal, AAG, Haryana.

RAJIV NARAIN RAINA, J.

This petition has been filed against show cause notices issued in May, 1999 to July, 1999 informing the petitioner that he will be reverted as a Constable. Vide the interim order dated 13.07.1999, reversion of the petitioner was stayed since the issue involved was then pending in the Supreme Court. The Supreme Court had itself stayed reversion of all similarly situated Police Officers in the State of Haryana as were before it in appeal. The Supreme Court decided the matter in S. I. Paras Kumar & others v. S. I. Ram Charan & others, (2004) 6 SCC 88. Learned Law Officer points out paragraphs 9 to 11 of the judgment which contain the ratio of the case settling the dispute with respect to 'Own Rank & Pay' Promotion Incentive Scheme [ORP] in the police department. The Supreme Court held that the Director General of Police Haryana was empowered under Section 12 of the Police Act read with Rule 13.2(A) of the Punjab Police Rules 1934, as applicable to the State of Haryana to make ORP promotions. Such promotions stand judicially approved from the Apex Court. This Court is

informed by the learned Law Officer that the show cause notices, which had been stayed ad interim many years ago, have been rendered infructuous since the petitioner was further promoted as Exemptee Assistant Sub Inspector of Police on 09.10.2008. He was further promoted as Exemptee Sub Inspector on 16.11.2013 and is due to retire next year.

The interim order is made absolute. The petition is disposed of.

(RAJIV NARAIN RAINA)
JUDGE

22.11.2016
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Whether speaking/reasoned *Yes*

Whether reportable *No*