

CWP No.1392 of 2016

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

CWP No.1392 of 2016

Date of Order: 16.11.2016

Naresh Kumar and Anr.

....Petitioners

Versus

State of Punjab and Ors.

....Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. G.P.S Bal, Advocate for
the petitioners.
Mz. P.S. Sekhon, Addl.A.G, Punjab.

JASWANT SINGH, J (ORAL)

Petitioners Naresh Kumar and Gurjit Singh were engaged as Special Police Officers (SPOs) in district Ropar on 01.3.1992 and 04.10.1992 respectively. Upon proper selection by the Recruitment Board out of the list of 2925 SPOs in various Districts, they were enlisted as Constables on 02.7.1993 and 09.8.1993 respectively.

Petitioner No.1 was brought on list C-1 after passing of the Lower School Course on 01.12.2001 and was promoted as Head Constable on 24.12.2001 whereas petitioner No.2 was brought on list C-2 on 26.8.2006 being an exemptee Constable.

Their claim for grant of deemed date of enlistment as Constable i.e with effect from the dates of their engagement as SPOs with consequential relief of pay fixation from the date, their similarly situated juniors SPOs were granted, has been declined vide impugned speaking order dated 16.8.2007 (**P.2**).

It transpires that a Memo dated 22.11.2012 was issued by the DGP, Punjab, Chandigarh on the representation of the petitioners with direction to grant deemed date of enlistment

as Constables to the petitioners with effect from the date, their juniors were granted with all the benefits as extended to the said juniors. After a delay of four years, the petitioners have filed this writ petition seeking a direction for implementation of the order **(P.4)**.

Upon notice, a reply by way of short affidavit dated 16.11.2016 of Raghbir Singh, Assistant Inspector General of Police, PAP-II, Office of Additional Director General of Police, Armed Battalions, Jalandhar was filed in Court.

In compliance of the previous directions, Sh. Ashwani Kumar, S.P, 75 Battalion Jalandhar Cantt is present in court.

Learned State counsel, taking into account the aforesaid affidavit submits that vide order dated 15.11.2016, the petitioners have been granted the deemed date of enlistment as Constables and the benefit of notional pay fixation has been granted. She, thus submits that the present writ petition has become infructuous.

In view of the above, present writ petition is disposed of as infructuous. The petitioners shall not be entitled to any arrears of any monetary benefits, however, will be entitled to the benefits of notional pay fixation from the date of passing of order dated 15.11.2016.

November 16, 2016
manoj

(JASWANT SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No