

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

Date of decision:13/12/2016

Sukhdarshan Singh

.....Petitioner

VS

State of Punjab and others

.....Respondents

CORAM:- HON'BLE MR.JUSTICE JASWANT SINGH

Present:- Mr.SC Pathela,Advocate for the petitioner.

Mz.Sudeepti Sharma,DAG Punjab assisted by
Mr.Balwinder Singh,Jr.Asstt., office of DGP Punjab

Jaswant Singh,J(Oral)

Petitioner is working as an ASI at Faridkot and his grievance is that inspite of his willingness he had not been deputed for Upper School Course required for promotion to the rank of Sub Inspector while deputing his juniors.

Upon notice, a short affidavit dated 8.9.2016 of Mr.Inderbir Singh,IPS,AIG Personnel,Punjab has been filed. It is stated therein that the petitioner was recruited as a Constable on 12.4.1986 and being a Sports person was promoted as a Head Constable on 24.4.1990 in excess of 10% C-II quota. In the light of decision dated 21.4.1998 of this Court in CWP 13788/1997 titled as **SI Swaran Singh v State of Punjab** laying down that Constables of List C-II could not be promoted in excess of 10% quota the petitioner and others were adjusted by creating 65 ex-cadre posts of Head Constables for Sports persons. It is further stated that petitioner was required to be deputed to Upper School Course,however, in the light of seniority of the police officials belonging to all cadres being revised in compliance of judgment dated 16.12.2014 of this Court in CWP 4829/2011 titled **SI Pardeep Singh and others v State of Punjab**, it cannot be accepted that any person junior to the petitioner has been deputed to undergo Upper School Course.

respondent State submits that present petition has become infructuous as vide Memo dated 30.11.2016 issued by office of DGP,Punjab, petitioner has been ordered to be deputed to Upper School Course.

In view of the statement made by learned counsel for the State, present petition is dismissed as having become infructuous.

13.12.2016
joshi

(Jaswant Singh)
Judge

Whether speaking/ reasoned	Yes/No
Whether Reportable:	Yes/No