

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

**Civil Writ Petition No. 25866 of 2016 (O&M)
Date of Decision: 14.12.2016**

ASI Jatinder Pal

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Anil Kumar Sharma, Advocate
for the petitioner.

JASWANT SINGH, J. (ORAL)

Petitioner-Jatinder Pal was enlisted as a Constable being an outstanding Sports Person. He was promoted as Head Constable and ASI in five per cent quota reserved for Ex-Servicemen. It transpires that the Sports Persons were promoted in excess of their quota, resulting into creation of Ex-cadre posts personal to such employees (i.e. Dying Cadre).

In the present petition, petitioner is seeking a mandamus for deputing him to undergo the Upper School Course required for placement in 'List-E', and consequently promotion as Sub Inspector. The basis for seeking the relief is that a junior lady ASI Rajwnder Kaur has been deputed the Upper School Course.

At the time of hearing, it is conceded that after the enforcement of Punjab Police Act 2007, the seniority of police officials in all cadres is being prepared at the State level. It is also apparent from the record that ASI Rajwinder Kaur has initially being promoted as Head Constable from 'List C-1' after undergoing the Lower School Course and not

from 'List C-2', meant for Sports Persons like the petitioner. Therefore, the parity with ASI Rajwinder Kaur for lack of material particulars cannot be entertained at this stage. It has to be acknowledged that after framing of the seniority at the State level, the employees would be deputed to undergo course as per their assigned seniority. The petition, therefore, appears to be premature.

At this stage, learned counsel for the petitioner seeks permission to withdraw the present petition.

Dismissed as withdrawn.

December 14, 2016

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**(JASWANT SINGH)
JUDGE**

Whether Speaking/reasoned	Yes
Whether Reportable	No