

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

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**CWP No.12009 of 2014 (O&M)
Date of Decision: 23.10.2017**

ASI Mohan Lal

....Petitioner

vs.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. K.G. Chaudhry, Advocate
for the petitioner.

Mr. Avinit Avasthi, AAG, Punjab.

TEJINDER SINGH DHINDSA, J. (Oral)

Pleadings on record indicate that the petitioner had joined as Constable in the year 1986 in the Punjab Armed Police (PAP). He was promoted as Head Constable on 15.03.1993 after having passed the Lower School Course. Petitioner was sent on deputation in the CID (Intelligence Wing) in July 1992. While on deputation, petitioner was promoted as officiating Head Constable in July 1997. Petitioner earned promotion as ASI (*Ad hoc*) in the CID Department on 24.10.2003.

The instant writ petition was filed assailing the order dated 06.06.2014 (Annexure P-5), whereby, petitioner was repatriated to his parent department i.e. PAP.

Upon notice of motion having been issued, a joint written statement on behalf of respondents No.1 to 4 has been filed. Appended along with the reply at Annexure P-1 is an order dated 23.02.2015, issued by the Director, Bureau of Investigation, Punjab and whereby, the order of repatriation dated 06.06.2014 has been withdrawn on administrative grounds.

In the light of order dated 23.02.2015 (Annexure R-1), the writ petition has been rendered infructuous and is disposed of accordingly.

As regards the alternate prayer raised by the petitioner for being absorbed permanently in the CID/Crime Wing of Punjab Police, the issue is left open.

Counsel representing the petitioner submits that after filing of the instant petition, statutory rules have been framed and under which, petitioner would be vested with a right to be considered for absorption in the CID/Crime Branch. Counsel also refers to a judgment of Hon'ble Supreme Court in ***State of Punjab and others vs. Inder Singh and others (1997) 8 SCC 372*** in support of the claim of the petitioner seeking absorption with the CID/Crime Branch. In such regard, without making any observation on merits, liberty is granted to the petitioner to make a representation as regards his claim for absorption in the CID/Crime Branch. In the eventuality of any such representation being preferred, the respondent-

authorities/Competent Authority would be obligated to consider the same and to take a final decision thereupon strictly in accordance with law.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

23.10.2017

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***Whether speaking/reasoned* : Yes**

***Whether reportable* : No**