

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

CWP No.18116 of 2014

Date of Decision:09.05.2017

Subhash Chand

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. Ravinder Malik (Ravi), Advocate for the petitioner.

Mr. Hitesh Pandit, Addl. A.G. Haryana.

P.B. BAJANTHRI J. (Oral)

The petitioner has sought for quashing of order dated 26.02.2014 (Annexure P-10) by which the petitioner's claim for benefit of one rank promotion under policy dated 27.3.2008 has not been extended.

Petitioner's entire claim is that there is a discrimination in extending the benefit of one rank promotion under the policy. The various posts in the police department like Head Constable, EASI, SI and Police Inspector are governed by the rules of recruitment made under Article 309 of the Constitution. Whereas insofar as the policy relating to one rank promotion is concerned, it is by means of an executive order. Therefore, policy of one rank promotion cannot over ride the rules of recruitment made under Article 309 of the Constitution. Thus, the petitioner has no right to claim any benefit of promotion to any of the cadre in the police department with reference to one rank promotion policy. Even if there is a discrimination in extending the benefit of one rank promotion, petitioner do not have the right to seek any benefit on the ground of discrimination in implementing one rank promotion policy. Since the posts are governed by rules of recruitment, therefore, one rank policy has no place for the purpose

of various posts in the police department. Thus, the petitioner has not made out a case so as to interfere in the matter.

Accordingly, petition stands rejected.

09.05.2017
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No