

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP No. 17224 OF 2017
DECIDED ON: AUGUST 24, 2017

BALBIR SINGH

.....PETITIONER

VERSUS

STATE OF HARYANA AND OTHERS

.....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Balbir Singh Saini, Advocate
for the petitioner.

JASPAL SINGH, J (ORAL)

By virtue of instant petition preferred under Article 226/227 of the Constitution of India, petitioner has sought issuance of writ in the nature of certiorari for quashing of office order No.36912-14 dated 27.07.2016 (Annexure P-6) with further direction to respondent No.4 to pay the arrears of pensionary benefits of E/ASI to the petitioner from the date of promotion i.e. 19.04.2004 till date.

2. After the perusal of impugned order dated 27.07.2016 (Annexure P-6), a query was put to learned counsel for the petitioner as to how and in what manner the impugned order suffers illegality but he could not point out any such legal flaw. Otherwise also, the aforesaid order is absolutely in consonance with the standing order No.103/2003 issued by Director General of Police, Haryana.

3. Though, the promotion order was issued by Superintendent of

Police, Rohtak vide order endst. No.4570-71/H, dated 19.04.2004 in pursuance of office memo No. 5456-59/A-1 dated 12.04.2004 issued by Inspector General of Police, Rohtak but it was purely of non cadre promotion and personal in his own pay scale. Thus, the petitioner is not eligible for any seniority/promotion to any higher post, that too, before completion of 5 years on the present rank i.e. E/ASI. He was retired on 31.10.2004 i.e. only after a period of 6 months on the present post.

4. Since, impugned order is absolutely in consonance with law, this Court does not find any illegality in the same. As such, it stands dismissed.

5. No order as to costs.

AUGUST 24, 2017
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned *Yes*

Whether reportable *Yes/No*