

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

CWP No.21173 of 2016

Date of Decision:16.01.2017

Prem Singh

... Petitioner

Vs.

State of Haryana and another

... Respondents

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

Present : Mr. R.S. Malik, Advocate for the petitioner.

P.B. BAJANTHRI J. (Oral)

In the instant writ petition, the petitioner has questioned the validity of the communication dated 19.7.2016 by which petitioner's claim for re-fixation of seniority in the rank of Inspector of Police and further promotion to the cadre of Deputy Superintendent of Police has been rejected on the ground of delay.

In the impugned communication, dates and events are perused. The petitioner had certain adverse remarks for various period. For the purpose of one of the ACR, DIG Rohtak Range, Rohtak has exercised power without authority of law while entertaining the mercy appeal and expunged the adverse remarks on 16.7.1990. Even assuming that decision dated 16.7.1990 of the DIG Rohtak Range, Rohtak is accepted, still the petitioner has no case and moreover it is to be noted that the petitioner has attained the age of superannuation and retired from service on 31.3.2000. Cause of action accrued in the year 1990 and even on 31.3.1996 the date on which ACR were expunged. The petitioner slept over the matter in respect of claiming re-fixation of seniority in the rank of Inspector of Police and seeking promotion to the post of Deputy Superintendent of Police for

the period from 1996 to 2016. Therefore, the petitioner has not made out a case so as to interfere with impugned order dated 19.7.2016 (Annexure P-7).

Accordingly, the petition stands dismissed.

16.01.2017
rajeev

(P.B. Bajanthri)
Judge

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