

CWP No.3698 of 2014

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

**CWP No.3698 of 2014
Date of Order: 26.4.2017**

Ram Parkash

....Petitioner

Versus

State of Punjab and Anr.

....Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. M.S. Brar, Advocate for the petitioner.

JASWANT SINGH, J (ORAL)

The petitioner retired from the rank of Assistant Sub Inspector in the Police Department, Punjab, on attaining the age of superannuation w.e.f 31.3.2007. His wife, namely Lady Inspector Sheela Rani died on 19.3.2012 during her active service period. Said Sheela Rani vide order dated 12.10.2012 (P.1) was promoted to the rank of Inspector retrospectively w.e.f 14.11.2002 instead of 06.7.2011. Accordingly, she was placed above her immediate junior Lady Inspector Kashmir Kaur in the seniority list of Inspectors. Her case for consequent promotion to the rank of DSP on account of retrospective promotion as Inspector was declined vide impugned order dated 08.7.2013 (P.3), simply on the basis that she had died on 19.3.2012. Hence, the present petition was filed by the husband being the legal heir, assailing order (P.3) and seeking a mandamus for her promotion to the rank of DSP w.e.f 24.6.2011, when her immediate junior Kashmir Kaur was promoted.

At the time of hearing today, learned State counsel has placed on record an order dated 20.4.2017, whereby late Sheela Rani has been granted notional promotion as DSP w.e.f 24.6.2011 i.e the date, when her junior Kashmir Kaur was promoted as DSP. He submits that in the light of this order, the exercise qua entitlement of the petitioner for revised family pension is being worked out and the due amount would soon be released.

In view of the aforesaid stand of the respondent-State, learned counsel for the petitioner concedes that no further adjudication is required.

Present petition is, therefore, dismissed as having been rendered infructuous. Respondent-State shall be bound by the aforesaid stand.

April 26, 2017
manoj

(JASWANT SINGH)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable : Yes/No