

In the High Court of Punjab and Haryana at Chandigarh

C.W.P. No. 6638 of 2016
Date of Decision: April 28, 2017

Manjeet and another

... Petitioners

Versus

State of Haryana and others

... Respondents

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

Present: Mr. Manjeet Singh, Advocate,
for the petitioners.

Mr. R.K. Doon, AAG, Haryana.

P.B. Bajanthri, J. (Oral)

1. In the instant writ petition, petitioners have sought for directions to the respondents to consider his name for promotion to the post of Head Constables w.e.f. the year 2011 on the score that petitioners do fulfill the requisite qualification prescribed for the purpose of bringing them to List B1 (in Form 13.7).

2. Learned counsel for the petitioners pointed out that petitioners have won the Gold Medal vide Annexure P/3 and P/4 respectively. Having regard to the certificate of Gold Medal, their names are required to be considered for the purpose of List B1 under Rule 13.7 of the Punjab Police Rules, 1934 in particularly under 10% quota on the basis of consistent outstanding performance in job/obtaining Gold or Silver Medal in All India Police Games / Duty Meet / National Games or exceptional display of bravery during the course of performance of official duty. Clause (iii) "Only

those constables shall be brought on list B-1 after 2 years of service, but before 5 years of service who have won a medal in International Sports event like Olympics, Asian Games, Commonwealth games or **similar international event.**” Under the following clause “Constables who have won medals in National Games / All India Police Games / Duty Meet and who are being considered for exceptional bravery or consisted outstanding performance shall be considered only if, they have put in a minimum 5 years of service.” The competent authority in not considering the petitioners' name for the purpose sending them for B1 Course has taken into consideration later part of the Rule which has been cited supra. Whereas petitioners' case would fall under the earlier clause i.e. only those Constables shall be brought on List B1 after 2 years of service but before 5 years of service who have won a Medal in International Sports event like Olympics, Asian Games, Commonwealth games or **similar international event.**

3. The competent authority is hereby directed to re-consider the petitioners' name for the purpose of sending them for B1 Course from 2011 with reference to the Gold Medal won by the petitioners which has been referred supra (Annexures P/3 and P/4) to the extent these certificates fall under the purview of “**similar international event**”. In the meanwhile, it is learnt that petitioners have been sent for B1 Course in the year 2014. The same would not come in the way of reconsidering the petitioners' name for the purpose of sending them for B1 Course in the year 2011. The above exercise shall be completed within a period of three months from today.

4. With the above observations, instant writ petition stands disposed of.

April 28, 2017
vkd

[P.B. Bajanthri]
Judge

Whether speaking / reasoned : Yes

Whether reportable : No