

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

**CWP-14162-2013 (O&M)
Date of decision : 04.07.2018**

Satinder Kumar

...Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. G.S. Bal, Sr. Advocate,
with Ms. Harmanpreet Kaur, Advocate,
for the petitioner.

Ms. Deepali Puri, Addl.A.G., Punjab.

JITENDRA CHAUHAN, J.

The petitioner was appointed as Constable in Police District, Batala on 01.06.1989. During the course of his service, the petitioner was promoted to the posts of Head Constable and Sub Inspector. Vide order dated 08.11.2012 (Annexure P-2), the petitioner was granted Local Rank of Inspector of Police. However, without there being any complaint or adverse report against him, the local rank has been withdrawn vide impugned order dated 29.06.2013 (Annexure P-8).

It is contended that a large number of persons who were granted different Local Ranks during the years 2011 to 2014, are still holding their respective Local Ranks, whereas, the petitioner alone is being discriminated.

On the other hand, learned State counsel submits that the

petitioner was granted Local Rank of Inspector under Rule 13.2-A of the Punjab Police Rules, vide order dated 08.11.2012 (Annexure P-6), only for six months, which was withdrawn after the expiry of said period.

Heard.

From the perusal of Annexures P-11 to P-16, the information supplied to the petitioner under the RTI Act, it is evident that a number of officials who were granted local ranks during the period from 2011 to 2014, are still continuing as such, whereas, the Local Rank of petitioner has been withdrawn vide impugned order Annexure P-8, without citing any cogent reason for the action being taken. A large number of Inspectors junior to the petitioner are still holding the rank in issue. Once there is evidence on record that both Inspectors junior and senior to the petitioner are holding the Local Rank, the petitioner alone cannot be divested of the same. The action of the respondents being discriminatory, needs to be ratified.

Keeping in view the above, the present petition is allowed and impugned order, Annexure P-8, is hereby quashed.

04.07.2018
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No