

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

CWP No.20156 of 2011 (O&M)

Date of decision: 20.09.2018

Jagjit Singh

...Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Ms. Suman Kumari, Advocate for
Mr. Gourave Bhayyia, Advocate for the petitioner(s).

Ms. Sunint Kaur, AAG Punjab.

Jitendra Chauhan, J. (Oral)

By way of the present petition, the petitioner seeks issuance of directions to the official respondents to promote the petitioner as per seniority and as per his performance in the sports category.

On behalf of the petitioner, it is asserted that the petitioner was promoted as Assistant Sub Inspector (ORP) in the year 1993, however, he is not being considered for promotion to the post of Sub Inspector whereas, one Joga Singh in the sports category has been promoted.

On the other hand, learned State counsel submits that since the petitioner is junior to ASI Joga Singh, therefore, he cannot be promoted prior to his senior. The representation of the petitioner has been rightly rejected by respondent No.2 vide order dated 15.02.2012
(Annexure R-1)

Heard.

The petitioner is claiming promotion to the post of Sub Inspector on the ground that one Joga Singh had been promoted whereas, the petitioner was not promoted despite the petitioner being more meritorious in sports category than said Joga Singh. On the last date of hearing, the following order was passed on 16.03.2018:-

“As per reply (Annexure R-1) the case of the petitioner does not fall under the eligibility criteria, whereas the similar relief was granted to Assistant Sub Inspector Joga Singh who was just an Assistant Coach with no other sports achievements.

Post again on 30.05.2018.

The State is directed to file a specific response as to how ASI Joga Singh was eligible and what were the achievements of ASI Joga Singh as a sports person and how the participation in the national games does not fall under the eligibility criteria.”

In pursuance of the order, the State had filed the reply dated 25.05.2018, as per which, the petitioner joined as Constable on 27.03.1985 whereas said Joga Singh joined much prior to the petitioner i.e. on 01.07.1971. Further, petitioner was promoted to the post of ASI on 08.04.2013 whereas Joga Singh was promoted to the said post on 01.08.1997. Though, the petitioner had participated in Open national Championship at Bangalore and Madhuban at national level but he could not get any success. After 1990, the petitioner has no sports achievements whereas during the tenure of ASI Joga Singh, being Assistant Coach, the team ranked 2nd during the All India Police Games Meets in the years 2002-Assam, 2003-Lucknow, 2004-Kerala and 2005-Sikandrabad. The learned counsel appearing on behalf of the petitioner has failed to refer to

any other sports achievement of the petitioner to justify his assertion that the petitioner is more meritorious than the said Joga Singh.

Keeping in view the above, the instant petition being devoid of merit is hereby dismissed.

20.09.2018

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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No