

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH
Sr. No.122

CWP-11744-2018
Date of decision : 10.05.2018

Fajruddin

..... Petitioner

VERSUS

State of Haryana and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE SUDHIR MITTAL

Present: Mr. Afzal Hussain, Advocate, for the petitioner.

SUDHIR MITTAL, J. (Oral)

The petitioner challenges the promotion of respondent No.5 to the post of Sub-Inspector.

The contention of learned counsel for the petitioner is that respondent No.5, is accused of taking illegal gratification. A complaint in this regard was made by the petitioner, based on which, an FIR was registered against the said respondent. Although, respondent No.5 was acquitted by the learned trial Court an appeal against him is pending in this Court. Thus, his promotion during the pendency of the appeal is illegal.

It is not in dispute that the trial Court has acquitted respondent No.5. Thus, the pendency of an appeal against the acquittal cannot eclipse promotional avenues of respondent No.5. That apart, the petitioner is not the candidate for promotional post concerned. In fact, he is the complainant responsible for registration of FIR against respondent No.5 and therefore, he bears a personal grudge against him. The writ petition at his behest is not maintainable.

In view of the above, the writ petition is totally misconceived and is dismissed.

(SUDHIR MITTAL)
JUDGE

10.05.2018

Ramandeep Singh

Whether speaking / reasoned

Whether Reportable

Yes / No

Yes/ No