

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

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CWP-5720-2018 (O&M)
Date of decision:09.03.2018

ASI Satish Kumar

...Petitioner

Versus

State of Haryana and others

....Respondents

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

Present: Mr. Inder Pal Goyat, Advocate for the petitioner.

P.B. BAJANTHRI, J. (ORAL)

In the present petition, petitioner has challenged order of promotion of the 6th respondent dated 18.10.2017 (Annexure P5).

2. Petitioner and respondent No.6 were working in Ambala range wherein undisputedly petitioner was senior to 6th respondent. Whereas 6th respondent was transferred from Ambala Range to that of Police Commissionerate of Panchkula. Consequently with reference to service conditions/rules of recruitment governing the post of Sub-Inspector in the Police Commissionerate of Panchkula, 6th respondent was promoted to the post of Sub Inspector. Thus, petitioner is aggrieved by the order of promotion of 6th respondent to the post of Sub Inspector, Police Commissionerate of Panchkula.

3. The petitioner has no legal right to question order of promotion of 6th respondent for the reasons that petitioner never challenged order of transfer of the 6th respondent from Ambala to Police Commissionerate of Panchkula claiming that for such transfer principle of seniority cum merit is

required to be taken into consideration. In other words, service conditions among the senior and junior would be affected. As long as order of transfer of the 6th respondent has not challenged by the petitioner or in the alternative seeking transfer on par with 6th respondent from Ambala Range to Police Commissionerate of Panchkula from the date when 6th respondent was transferred as Assistant Sub Inspector, petitioner cannot challenge Annexure P5 as he has no locus standi for the reasons that service conditions in the Police Commissionerate of Panchkula and Ambala Range are entirely different and question of senior and junior was only in Ambala Range and not in Police Commissionerate of Panchkula.

4. Reserving liberty to the petitioner to approach concerned authority to seek similar benefit on par with 6th respondent.

5. CWP stands dismissed.

09.03.2018

pooja saini

**(P.B.BAJANTHRI)
JUDGE**

Whether speaking/reasons

Yes/No

Whether Reportable:

Yes/No