

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

CWP-2786-2019

Date of Decision:06.02.2019

Dharam Veer and another

... Petitioners

Vs.

State of Haryana and others

... Respondents

CORAM : HON'BLE MS. JUSTICE RITU BAHRI

Present : Mr. Ramesh Sindhar, Advocate
for the petitioners.

Ms. Palika Monga, D.A.G. Haryana.

RITU BAHRI, J. (Oral)

The petitioners have sought for issuance of a writ in the nature of certiorari for quashing the action of respondent No.3 for deputing juniors of the petitioners i.e. Private respondents No.7 to 13 to intermediate school course as per Annexure P-2 (Colly) prior to them as also for issuance of direction for deputing petitioners to the intermediate school course prior to the respondents No.7 to 13.

Short reply has been filed on behalf of respondent No.3 wherein it has been clarified that particular of last Head Constable deputed for Intermediate School Course in Karnal Range would show that no junior Head Constable to the petitioners has been deputed for Intermediate School Course 2019 from Karnal Range. The last candidate sent for Intermediate School Course 2019 from Karnal Range is H.C. Parveen Kumar and his order of merit is 51/555 from batch No.52. It is further clarified that petitioners have passed Lower School Course in batch No.54 and no junior Head Constable has been sent for Intermediate School Course. In reply to the contention of the petitioners that respondents No.5 to 13 are juniors to the petitioners and are deputed to the Intermediate School Course, it is

clarified by giving their seniority wise particulars that those persons are senior to the petitioners for deputing them to the Intermediate School Course.

Learned counsel for the petitioners submits that petitioners have completed Lower School Course in batch no.54 but they are officiating as Assistant Sub Inspector.

At this stage, learned State counsel has referred to sub Rules 5 and 6 of Rule 12 of the Haryana Police (Non Gazetted and other Ranks) Service Rules, 2017 which reads as under:

“12. Seniority of enrolled police officers.- (5) The seniority of all Lower School Course pass Constables shall be determined as per merit achieved by them in the Lower School Course; which shall then become the foundation for preparing the subsequent gradation lists and further promotions to higher ranks.

(6) The Lower School Course passed Constables shall undergo Intermediate School Course on their turn as per their seniority under sub-rule (5) above and Intermediate School Course passed member of Service shall undergo Upper School Course on their turn.”

Keeping in view the short reply filed on behalf of respondent No.3 as also the fact that even if the the petitioners are officiating as Assistant Sub Inspector, they cannot be sent for Intermediate School Course in view Rule 12 cited above, this petition is dismissed.

(RITU BAHRI)
JUDGE

06.02.2019

rajeev

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No