

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CWP No.18369 of 2013(O&M)
DECIDED ON : 02.03.2020

Ashok Kumar

...Petitioner

versus

State of Punjab and others.

...Respondents

CORAM : HON'BLE MR. JUSTICE GIRISH AGNIHOTRI

Present : Mr. Rajeev Dev Sharma, Advocate
for the petitioner.
Mr. Rajesh Bhardwaj, Sr. DAG, Punjab.
Mr. Kuldeep Singh Siwach, Advocate for
Mr. P.S. Dhaliwal, Advocate,
for respondent No.8.
Mr. Karunesh Kaushal, Advocate
for respondent No.9.

GIRISH AGNIHOTRI, J. (ORAL)

Present petition has been filed by the petitioner-Ashok Kumar, *inter alia*, with the prayer to direct the respondents to consider his case and grant the same benefits as have been granted to respondents No.5 to 9. Learned counsel for the petitioner submits that respondents No. 5 to 9 have been granted out of turn promotion and regularization on the basis of their outstanding service/achievement.

Learned counsel for the petitioner submits that *Rule 13.21 of* the Punjab Police Rules provides for power with the Inspector General of Police that in case Inspector General of Police is of the opinion that if it is necessary and expedient to do so, he may, by order for reasons to be recorded in writing, relax any of the provisions of this rule with respect of any class or category of persons.

Learned counsel for the petitioner submits that the petitioner also falls in the same category as he has also various

achievements/exemplary good service. Some of the achievements have been mentioned in representation dated 08.12.2010 annexed as Annexure P-2.

Records of the case show that notice of motion in this case was issued on 22.08.2013. Reply dated 07.12.2013 was filed by way of an affidavit of Sh. Rakesh Kaushal, PPS, Senior Superintendent of Police, Pathankot on behalf of respondents No.1, 3 and 4.

On 27.05.2019, additional affidavit of Pritam Singh, PPS, Assistant Inspector General of Police, Personnel-II on behalf of respondents No. 1 to 4 was filed.

Learned counsel for the petitioner, at this stage, submits that the petitioner is going to retire on 31.03.2020. He submits that he will be satisfied in case the present writ petition is disposed of with a direction to respondent No.2 to grant him personal hearing and with a further direction that respondent No.2 may himself or depute a responsible officer to examine the claim/demand of the petitioner and decide the same expeditiously.

Without commenting upon the merits of the case, writ petition is disposed of with a direction to respondent No.2 to grant personal hearing to the petitioner himself within 10 days from today and if not possible, depute a responsible officer to hear the petitioner personally and decide the claim of the petitioner expeditiously and it will be appreciated if the same is decided by 31.03.2020.

To facilitate, the petitioner may present himself on 12.03.2020 in the office of respondent No.2 (unless any other specific date is given to him by the office).

March 02, 2020

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**(GIRISH AGNIHOTRI)
JUDGE**

Whether speaking/reasoned : YES/NO
Whether reportable : YES/NO