

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.1392 of 2017(O&M)
DECIDED ON : 12.03.2020

Inspector Sukh Ram Singh and others.

...Petitioners

versus

State of Punjab and another.

...Respondents

CORAM : HON'BLE MR. JUSTICE GIRISH AGNIHOTRI

Present : Mr. Ravi Sharma, Advocate
for the petitioner.

Mr. Rajesh Bhardwaj, Sr. DAG, Punjab.

GIRISH AGNIHOTRI, J. (ORAL)

This order shall dispose of four writ petitions i.e. CWP Nos. 1392, 1741, 6717 and 15441 of 2017. For ready reference, facts have been taken from CWP No.1392 of 2017.

Petitioners-Inspector Sukh Ram and five others have filed the present writ petition, *inter alia*, with a prayer to direct the respondents to promote the petitioners as Deputy Superintendents of Police with all consequential benefits including the arrears of pay etc., with 12% interest, w.e.f. 23.10.2007, (the date when their juniors namely, Inspector Jaswinder Singh, Inspector Rajwinder Singh, Inspector Paramjit Singh etc., were promoted). It was also the pleaded case of the petitioners that juniors to the petitioners figure at Sr. Nos.514, 516 and 517 respectively in the revised seniority list (Annexure P-4), have been promoted as Deputy Superintendent of Police.

Perusal of records of the case show that notice of motion was issued on 27.01.2017.

Reply dated 11.03.2019 on behalf of respondent Nos. 1 and 2 has been filed by Sh. Pritam Singh, PPS Assistant Inspector General of Police, (Personnel-3). In the reply, it has been *inter alia* pleaded that as per the revised seniority list issued in the year 2018, the petitioners have been granted revised seniority over and above their juniors, but in the meantime, petitioners retired from service. Relevant para of the reply is reproduced hereunder:-

“2. That the petitioners are demanding benefits of promotion at par with Inspectors Jaswinder Singh No.417/J, Inspector Rajwinder Singh No.303/PR, Inspector Paramjit Singh No.733/307/PR respectively. These officials also been granted revised date of promotion as under:-

Sr. No.	Rank Name and No.	Actual List “F” in the year 2007	Revised List “F” in the year 2011	Revised List “F” in the year 2016	Revised List “F” in the year 2018
1	Jaswinder Singh No.417/J	28.4.99	14.11.2002	23.10.2001	23.10.2001
2	Rajwinder Singh No.303/PR	28.4.99	14.11.2002	23.10.2001	23.10.2001
3.	Paramjit Singh No.307/PR	28.4.99	14.11.2002	23.10.2001	23.10.2001

That in revised seniority list issued in the year 2018 the petitioners have been granted revised seniority over and above their juniors but in the mean time the petitioners retired from service on 31.07.2009, 31.05.2010, 30.04.2010, 31.12.2009, 28.02.2020 and 30.04.2008 respectively so the petitioners have no cause of action for filing the writ petition at this stage.”

Learned counsel for the petitioners submits that for the aforementioned grievance, the petitioners had got served legal notice dated 24.09.2016, which has not been decided till date.

Without commenting upon merits of the case, this Court deems

it appropriate to dispose of the writ petitions with a direction to the

respondents that the claim made by the petitioners as aforementioned through legal notices, be considered and decided by the Competent Authority i.e. respondent No.1, within a period of four months from the date of receipt of certified copy of this order.

It is also directed that the subsequent significant developments as noticed in the reply dated 11.03.2019 and also subsequent thereto, be taken into consideration and fresh order be passed within the aforementioned period.

Disposed of accordingly.

(GIRISH AGNIHOTRI)
JUDGE

March 12, 2020

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Whether speaking/reasoned : YES/NO

Whether reportable : YES/NO