

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CWP-30173-2018 (O&M)
Date of Decision:-17.9.2020

HC Rishi Parkash

... Petitioner

Versus

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Vishal Nehra, Advocate for the petitioner.

Mr. Ravinder Singh Budhwar, Addl.A.G., Haryana.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. Today, at the very outset, the learned counsel for the petitioner has informed that during the pendency of this petition, the petitioner was deputed for Intermediate School Course, which he has duly attended and completed, and that, as such, the said relief as claimed in the present petition already stands granted and the petition qua said relief is virtually rendered infructuous.
2. The learned counsel for the petitioner has, however, submitted that the respondents somehow have not passed any order for confirming the petitioner in tune with Rule 13.18 of Punjab Police Rules despite the fact that the petitioner was promoted as a Head Constable in the year 2012.

3. The learned State counsel, while referring to para No.10 of the reply, has submitted that the matter pertaining to confirmation of the petitioner and other identically situated officials is under consideration and that requisite orders could not be passed on account of the fact that certain discrepancies were noticed since the Commissionerate Gurugram had been bifurcated into two Commissionerate i.e. Faridabad and South Range, Rewari.
4. The aforesaid para No.10 of the short reply filed by way of affidavit of Sh. Shashank Kumar Sawan, IPS, Deputy Commissioner of Police, Headquarters, Gurugram reads as follows:

“ That as per rule 13.18 of Punjab Police Rules (applicable to the State of Haryana) all officials should be confirmed after completion of probation period. It is submitted that jointly confirmation in the rank of Head Constable was made from 2003 to 2007 vide order No.15497-805/A-3 dated 09.05.2015 issued by the Commissioner of Police, Inspector General of Police, South Range, Rewari and Commissioner of Police, Faridabad. However, later on Commissioner of Police, Faridabad intimated that there is some discrepancies in the said confirmation due non availability of proper seniority list as erstwhile Gurgaon Range has been divided into Commissionerate, Gurgaon, South Range Rewari and Commissionerate Faridabad as such the same may be reviewed by checking all other record and till then orders passed by committee may be stayed. The name of the petitioner will be considered at the time of confirmation accordingly.”

5. In view of the aforestated stand taken by the respondents, this petition is disposed of with a direction to the respondents to do the needful for the purpose of deciding the matter pertaining to confirmation of the petitioner in terms of Rule 13.18 of Punjab Police Rules at the earliest preferably within a period of three months from today.

6. Since the learned counsel for the petitioner has submitted that his identically situated colleagues, who had been deputed for Intermediate School Course alongwith the petitioner, have since been promoted as Assistant Sub Inspector, therefore, it is expected that the respondents, upon deciding the matter regarding confirmation of the petitioner, shall further consider the case of the petitioner for promotion especially in case it is found that the juniors or other identically situated persons have since been promoted.

17.9.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No