

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

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CWP No.8515 of 2017(O&M)  
DECIDED ON : 24.02.2020

Nirmal Singh

...Petitioner

versus

State of Punjab and others.

...Respondents

CORAM : HON'BLE MR. JUSTICE GIRISH AGNIHOTRI

Present : Mr. Shakti Bhardwaj, Advocate for the petitioner.

Mr. Rajesh Bhardwaj, Sr. DAG, Punjab.

**GIRISH AGNIHOTRI, J. (ORAL)**

The present petition has been filed by petitioner-Nirmal Singh, *inter alia*, with the prayer to quash the order dated 14.03.2016 (Annexure P-10) vide which final seniority list of Assistant Sub Inspectors and Sub Inspectors has been issued. The grievance of the petitioner was that the date of promotion as "Sub Inspector" has been changed from 23.09.1994 to 01.04.2005.

The records of the case show that on 26.04.2017, notice of motion was issued and the operation of the order regarding the reduction in salary was stayed by this Court. Reply on behalf of respondent Nos. 1 to 6 was filed on 29.11.2017 by Sh. Jatiner Singh, PPS, Deputy Superintendent of Police (Admn.), Government Railway Police, Punjab, Patiala.

Today it has been further pointed out that on 20.01.2020, a short affidavit of Sh. Daljeet Singh, PPS, Assistant Inspector General, Government Railway Police, Punjab, has been filed. Reference has been

made to paras 3, 4 and 5 of the affidavit, which reads as under:-

*“3. That the petitioner has filed the captioned petition praying for quashing of order dated 14.03.2016 (Annexure p-10), order dated 22.09.2016 (Annexure P-12) and dated 03.11.2016 (Annexure P-24) whereby seniority of the petitioner was changed as Sub-Inspector from 23.09.1994 to 01.04.2005 and as Inspector from 06.07.2011 to 04.11.2011 and consequential recovery from his pay on the basis of revised seniority.*

*4. That this Hon'ble High Court while issuing notice of motion on 26.04.2017 has stayed the effect and operation of the impugned order regarding reduction of salary till the next date of hearing. In compliance with the above orders dated 26.04.2017 passed in the present petition, the recovery regarding reduction in the pay of petitioner effected vide order dated 03.11.2016 (Annexure P-24) has been stopped and the total recovered amount to the tune of Rs.59,909/- was returned to the petitioner.*

*5. That now the Director General of Police, Punjab, Chandigarh (respondent No.2) has issued the combined final seniority list of Inspectors vide his office memo. dated 03.01.2018 and dated 22.01.2018 in the light of directions issued by this Hon'ble Court in CWP No.4829 of 2011 titled as Inspr. Pardeep Singh and others Versus State of Punjab and others and 09 other connected petitions, which is available on Punjab Police website. On the basis of the said final combined seniority of Inspectors, the seniority of petitioner has again been changed vide this office order dated 06.03.2018 as Sub Inspector from 01.04.2005 to 03.08.1996 and as Inspector from 04.11.2011 to 01.09.2007. Copy of order 06.03.2018 is enclosed as Annexure RA-1. As such, the above orders challenged by the petitioner in the present petition are no more in force and this writ petition*

*becomes infructuous.”*

Learned counsel for the petitioner submits that the petitioner had to approach this Court by way of filing the present writ petition because change in the date was ordered by the authorities without issuing any show cause notice i.e. without giving an opportunity of hearing to the petitioner. He submits that the writ petition can be disposed of in view of the above with a directions to the respondents to grant him an opportunity of hearing by way of show cause notice in case any further change is intended by the respondents.

In view of the above, writ petition is disposed of with the directions that in future, in case any order adverse to the petitioner on same/similar issues is intended to be passed, an opportunity of hearing/show cause notice shall be served upon the petitioner.

**(GIRISH AGNIHOTRI)**  
**JUDGE**

**February 24, 2020**

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