

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

234

CWP-9062-2017

Date of decision: 05.03.2020

ASI Rattan Singh No.347/KNL/474/JJR

.....Petitioner

versus

State of Haryana and others

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Aditya Yadav, Advocate
for the petitioner.

Ms. Safia Gupta, AAG, Haryana.

GIRISH AGNIHOTRI, J. (Oral)

1. Petitioner-ASI Rattan Singh has filed the present writ petition *inter alia* with the prayer to quash the order dated 25.03.2017 (Annexure P-3).
2. Vide order dated 25.03.2017, the petitioner has been reverted from the post of ASI to the post of Head Constable by the Superintendent of Police, Karnal. Although, as per learned counsel for the petitioner, the case of the petitioner has a long history of list of dates. On 10.10.2008, the petitioner was transferred from District Karnal to District Jhajjar (Rohtak Range Rohtak). It is submitted that at that time, the District Karnal fell under Rohtak Range Rohtak. On 25.10.2011, the petitioner was further promoted as ASI by orders of Inspector General of Police, Rohtak Range Rohtak. However, on 14.03.2017, the petitioner was issued showcause

notice by Superintendent of Police, Karnal to withdraw the promotion issued by the Inspector General of Police, Rohtak Range Rohtak.

3. Learned counsel for the petitioner submits that a similar showcase notice was issued on 13.11.2013 to ASI Jaipal. ASI Jaipal and others filed CWP-26101-2013 which was decided on 20.07.2015 with a direction to the Director General of Police, Haryana to take fresh decision after considering the issue of seniority as well as promotion of the petitioner, without being influenced by the orders passed by the Inspector General of Police, Rohtak. He further submits that vide another judgment/order of this Court dated 11.01.2018, passed in CWP-26732-2015, once again, direction was given to the Director General of Police, Haryana to complete the exercise of deeper consideration of the matter from the stage of issuing show cause notice.

4. Notice of motion in this case was issued on 04.05.2017.

5. Reply on behalf of respondents No.2 to 5 has already been filed by Shri Jashandeep Singh Randhawa, IPS, Superintendent of Police, Karnal.

6. In the judgment dated 11.01.2018, in Para-7, it has been recorded that the reasons in support of the impugned order therein, were not found to be in accordance with law by this Court. Accordingly, the said impugned order was set aside. In the present case, let the Director General of Police decide the matter afresh *de hors* the orders passed by the Superintendent of Police dated 25.03.2017, which is appended as Annexure P-3 with the present writ petition.

7. Without going further on merits of the case, this Court deems it

appropriate to direct the Director General of Police, Haryana to decide the claim of the petitioner to continue with the promotion order dated 25.10.2011 and decide the issue of order of reversion dated 25.03.2017 afresh in view of the judgment dated 11.01.2018, passed in CWP-26732-2015.

8. Accordingly, the present writ petition is **disposed of** with a direction to Director General of Police, Haryana to decide the claim of the petitioner within four months from the date of receipt of certified copy of this order.

(GIRISH AGNIHOTRI)
JUDGE

05.03.2020

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Whether speaking/ reasoned:
Whether Reportable:

Yes/No
Yes/No