

[215] IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

[1] CWP No.9210 of 2020
Date of decision : 06.12.2021

Sukhchain Singh and others ...Petitioners

Versus

State of Punjab and othersRespondents

[2] CWP No.9894 of 2020

Balvir Singh and others ...Petitioners

Versus

State of Punjab and others ... Respondents

[3] CWP No. 10524 of 2020

Amarjeet Singh and others ...Petitioners

Versus

State of Punjab and othersRespondents

[4] CWP No.10816 of 2020

Avtar Chand and others ...Petitioners

Versus

State of Punjab and others ... Respondents

[5] CWP No. 11498 of 2020

Sukhpal Singh ...Petitioner

Versus

State of Punjab and others ... Respondents

[6] CWP No.10477 of 2020

Kashmir Masih and others ...Petitioners

Versus

State of Punjab and others ... Respondents

CWP No.9210 of 2020 and
connected cases

-2-

[7]

CWP No.13046 of 2020

Ram Lal and others

...Petitioners

Versus

State of Punjab and others

....Respondents

[8]

CWP No.17591 of 2020

Raj Kumar and others

...Petitioners

Versus

State of Punjab and others

....Respondents

[9]

CWP No.15395 of 2020

Rajwinder Singh and others

...Petitioners

Versus

State of Punjab and others

....Respondents

[10]

CWP No.14080 of 2020

Madan Lal and others

...Petitioners

Versus

State of Punjab and others

....Respondents

[11]

CWP No.18468 of 2020

Sukhmandhar Singh and others

...Petitioners

Versus

State of Punjab and others

....Respondents

[12]

CWP No.18857 of 2020

Gurjeet Singh and others

...Petitioners

Versus

State of Punjab and others

....Respondents

CWP No.9210 of 2020 and
connected cases

-3-

[13]

CWP No.20246 of 2020

Angrej Singh and others

...Petitioners

Versus

State of Punjab and others

....Respondents

[14]

CWP No 20681 of 2020

Major Singh and others

...Petitioners

Versus

State of Punjab and others

....Respondents

[15]

CWP No.2722 of 2021

Kashmira Singh and others

...Petitioners

Versus

State of Punjab and others

....Respondents

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Krishan Kumar Thakur, Advocate

Mr. Baljeet Singh Sidhu, Advocate

Mr. Karan Bhardwaj, Advocate and
Mr. Jasbir Singh Mohri, Advocate

Mr. J.S. Dhaliwal, Advocate
for the petitioners.

Mr. Ayush Sarna, AAG, Punjab.

B.S. Walia, J. (Oral)

[1] This order shall decide CWP Nos. 9210, 9894, 10524, 10816,

11498, 10477, 13046, 17591, 15395, 14080, 18468, 18857, 20246, 20681

of 2020 and CWP No.2722 of 2021, as identical point is in issue in all the cases.

[2] Learned counsel for the parties are *ad idem* that an enrolled police officers is entitled to the grant of next higher rank as local rank in the following situations :-

- (i) Under Rule 13.2 (A), if the Inspector General of Police considers it necessary to do in the interest of better functioning of the force ;
- (ii) The concerned employee has completed 24 years of service as Constable / Head Constable on 01st January in each calendar year ;
- (iii) Application is made within 06 months prior to retirement on superannuation / voluntary retirement.

[3] Learned counsel contends that there are sufficient reasons to show that grant of next higher rank as local rank to the petitioners is in the interest of the better functioning of the force and that in the circumstances, they may be permitted to withdraw the instant petitions with liberty to submit a comprehensive representation for showing that the reasons for grant of next higher rank as local rank to the petitioners is in the interest of better functioning of the force and is on a better footing than in the case of a large number of other enrolled police officers who have already been granted the next higher rank as local rank and directions being issued to the competent authority i.e. the Director General of Police (DGP) to consider and decide the representation of the petitioners on receipt in accordance with law in a time bound manner.

[4] Learned State Counsel, on instructions from Mr. Turtaj Singh, EO / Litigation CPO, on perusal of the writ petitions and the stand in the written statement states that he has no objection to the limited prayer of the petitioners.

[5] Accordingly, in the light of the position noted above, as well as statement of learned counsel for the parties, the writ petitions are *disposed of by* granting liberty to the petitioners to submit a comprehensive representation to respondent No.2 within 02 weeks of receipt of certified copy of the order while respondent No.2 i.e. Director General of Police is directed to consider and decide the claim of the petitioners for grant of next higher rank as local rank in accordance with the rules and instructions applicable, as well as the factual position in each given case expeditiously, preferably, within 04 months from the date of receipt of certified copy of the order.

(B.S. Walia)
Judge

06.12.2021
'Rajneesh'

Whether speaking/ reasoned : *Yes/No*
Whether reportable : *Yes/No*