

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

CWP-11347-2021

Date of decision: 22.07.2021

Pardeep Singh

.....Petitioner

versus

State of Punjab and others

....Respondents

CORAM: Hon'ble Mr. Justice Girish Agnihotri

Present: Mr. Ishan Gupta, Advocate for the petitioner.

Mr. Ayush Sarna, AAG, Punjab.

(the aforesaid presence is being recorded through video conferencing since the proceedings are being conducted in virtual court on account of restrictions due to COVID 19)

GIRISH AGNIHOTRI, J. (Oral)

On 30.06.2021, this Court had passed the following order:-

“Petitioner-Pardeep Singh stated to be aged 54 years, has filed the present petition inter alia with a prayer for quashing impugned letter No.11124-75/A-7 dated 01.04.2021 (Annexure P-6) issued by respondent No.5 whereby, the last date of reporting for the Upper School Course at Punjab Police Academy, Phillaur has been fixed at 04.04.2021.

Notice of motion for 09.07.2021.

Let, reply be filed specifically clarifying as to if the present case is covered by the judgment of this Court dated 28.05.2021 in CWP No.8740 of 2021 titled as “Palwinder Singh versus State of Punjab and others”.

Thereafter, on 15.07.2021, this Court further passed the following

order:-

The petitioner Pardeep Singh has filed the present writ petition inter alia with a prayer to quash the impugned letter dated 01.04.2021 (P6) issued by respondent No.5 whereby the last date of reporting for the Upper School Course at Punjab Police Academy, Phillaur has been fixed at 04.04.2021. A further prayer is made to direct the respondents to allow the petitioner to report and join the said Course.

When this case came up for hearing on 30.06.2021, notice of motion was issued. Thereafter, the case has been listed on 09.07.2021, 12.07.2021 and 14.07.2021. During the course of hearing of the matter on the aforementioned dates, certain queries were raised.

Respondent No.2 – the Director General of Police, Punjab is directed to file an affidavit, either personally or through a responsible Officer, well conversant with the facts of the case enumerating all the relevant dates and facts. Apart from other relevant facts, the following issues must also be clarified:-

(i) On which date the competent authority took a decision to assign appropriate number of seats for the Upper School Course which is now stated to have commenced on 05.04.2021?

(ii) As to on what basis and which competent authority finalized the list of candidates to be deputed to the Course?

(iii) The specific case of the petitioner is that the petitioner's seniority is at Sr.No.2082 whereas as per the petitioner, person at Sr.No.2083, namely, Satnam Singh has been deputed for the Upper School Course. It be also clarified as to in what circumstances the said SI Satnam

Singh (Sr.No.2083) was deputed for the Upper School School?

(iv) As to why the petitioner was not deputed for the Upper School Course at the time/on the date when the said Satnam Singh was deputed for the Course.

Post again on 22.07.2021.

Let the affidavit be filed within 7 days from today.

In furtherance of the order dated 15.07.2021, passed by this Court, a short affidavit dated 20.07.2021, has been filed by Mr. Ketan Patil Baliram, IPS, Assistant Inspector General of Police, personnel-2 Punjab, on behalf of the respondents. Advance copy of the said affidavit has been given to counsel for the petitioner.

In the affidavit filed on behalf of the respondents, in para 2, detailed facts have been given to explain the position as called for by this Court.

This Court would like to record the appreciation for the efforts made by learned State counsel as well as the department to clarify the position.

Learned counsel for the petitioner, on instructions from the petitioner, submits that in view of the latest affidavit dated 20.07.2021, he would not like to press the petition any further. Counsel further submits that he be permitted to withdraw the present petition, however, he submits that in case, the petitioner is aggrieved of or is to seek any other relief, he be permitted to file a fresh writ petition.

In view of the peculiar facts as noticed above, the writ petition is dismissed as withdrawn with the liberty as prayed for .

No order as to costs.

(GIRISH AGNIHOTRI)
JUDGE

22.07.2021

anju rani

Whether speaking/ reasoned:

Yes/No

Whether Reportable:

Yes/No