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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CWP-13512-2012
Date of decision: 27.07.2022**

RANJIT SINGH

...Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. G. P. S. Bal, Advocate
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

Mr. G. S. Bal, Senior Advocate with
Mr. Yagyadeep, Advocate
for respondent No.5.

JAISHREE THAKUR, J. (Oral)

This is a petition that has been filed as far back as in 2012 seeking a writ in the nature of mandamus directing the respondents to forward the case of the petitioner herein to the Officers' Committee-respondent No.3 for regular promotion upto the rank of Sub-Inspector/Inspector by relying on the fact that the person junior to him has been so promoted.

In brief, the facts are that the petitioner herein was recruited as a Constable and enlisted in the Punjab Armed Police on 14.03.1990. It is alleged that he is a sportsman in the field of swimming and has received many commendation certificates apart from various medals in the games held. He was brought on the list C-II (Exemptee) with effect from 15.08.1990 and being

a sportsman, he was promoted to the rank of Head Constable with effect from 14.03.1997. In the meanwhile, one Rashminder Singh was enlisted as a Constable on 22.06.1994 and on the very next day, he was granted list C-II and promoted as Head Constable and, therefore, promoted as Assistant Sub-Inspector on 21.05.1998. He was then promoted as Sub-Inspector on 27.01.2000. The case that has been set up before this Court is that the petitioner who also excelled in swimming is stagnating and has not been promoted to the post of Sub-Inspector/Inspector, whereas the person by the name of Rasminster Singh, enlisted as a Constable on 22.06.1994, was immediately brought on the C-II list and has been promoted continuously thereafter making him senior. It is further contended that the said Rashminder Singh does not have the necessary certificates to be brought on any exemptee list.

Learned counsel for the petitioner herein would also rely upon the written statement as filed by the State of Punjab, wherein they have agreed that said Rashminder Singh does not have the necessary commendations to be promoted and they propose to take action against him.

Rashminder Singh has subsequently got himself impleaded as a party-respondent to the instant writ petition, who has on an affidavit given the list of his achievements in sports. It is contended that the relief as sought in the instant writ petition is not qua him and, therefore, there can be no challenge to any of the promotions that have been given to him.

I have heard learned counsel for the parties and have perused the writ petition, wherein the simpliciter prayer made therein is to forward the case of the petitioner for promotion to the Officers' Committee as constituted under the orders of this Court in CWP No.566 of 2010, titled as “Ranjit Singh and

Others versus State of Punjab and Others”, decided on 04.03.2010 to look into the grievances as raised by all the police personnel.

In view of the aforesaid innocuous prayer made, this writ petition is disposed of with a direction that let the case of the petitioner be also placed before the Officers' Committee and after giving adequate opportunity to the parties concerned to present their case, let a decision be taken within a period of two months from the date of receipt of the certified copy of this order, in accordance with law. Needless to say, the said Committee would be bound by the directions already set out by this Court in the judgment rendered in Ranjit Singh's case (supra).

27.07.2022
Chetan Thakur

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No