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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-18105-2015
Date of decision: 30.03.2022

RAM KARAN

...Petitioner

VERSUS

STATE OF PUNJAB AND ORS.

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Akshay Kumar Goel, Advocate
for the petitioner.

Mr. Sehaj Bir Singh, DAG, Punjab.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed by the petitioner under Articles 226/227 of the Constitution of India for issuance of writ in the nature of certiorari for quashing order dated 23.02.2015 (Annexure P-10) and seeking reinduction of his name in the C-II (Exemptee) list with immediate effect.

It is claimed that the petitioner had earlier been kept in the C-II (Exemptee) list, but his name was removed on account of registration of an FIR against him. Since the petitioner stands acquitted, he seeks his name to be reintroduced in that list with all consequential benefits of seniority.

At this stage, learned State counsel would contend that during the pendency of the writ petition, an order has been passed on 26.10.2020, whereby, the petitioner stands promoted to the rank of officiating Head

Constable w.e.f. 01.07.2012, that is the date when his juniors were promoted. He places on record the order so passed as communicated on 26.10.2020.

Learned counsel for the petitioner herein would contend that though the petitioner has been promoted and given seniority as from the date when his juniors were promoted, he is aggrieved by the said order as he has been denied arrears of pay with retrospective effect and seeks liberty to challenge the said order.

I have heard learned counsel for the parties.

In view of the fact that the petitioner herein has been given the relief as sought for in the present petition as he has been promoted to the rank of officiating Head Constable from the date when his juniors were promoted, the instant writ petition has rendered infructuous and is disposed of accordingly. However, the petitioner is given liberty to challenge the order dated 26.10.2020, if he has been declined any arrears of pay with retrospective effect.

30.03.2022
Chetan Thakur

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No