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

**CWP-26741-2013 (O&M)**

Date of Decision: 02.09.2022

SHINDER PAL KAUR

.... Petitioner

Versus

STATE OF PUNJAB AND ORS.

.... Respondents

**CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR**

Present:- Mr. R.K. Arora, Advocate,  
for the petitioner.

Mr. Sehajbir Singh Aulakh, AAG, Punjab.

None for respondent No.5.

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**JAISHREE THAKUR.J (Oral)**

**CM-13657-2022**

Application is allowed, as prayed for.

Copy of order dated 13.05.2015, representation dated Nil, letter dated 25.07.2015 and order dated 07.10.2021 as Annexures P-11 to P-14 are taken on record, subject to all just exceptions.

**CWP-26741-2013**

This is a petition that has been filed under Articles 226/227 of the Constitution of India for issuance of a writ, order or direction especially in the nature of certiorari quashing the order dated 06.05.2009, Annexure P-7, and order dated 10.03.2010, Annexure P-8, whereby promotion of the petitioner to the post of Head Constable stood withdrawn.

It is contended that the petitioner was appointed as a Constable on 18.06.1985 and, thereafter, was granted C-II list vide order dated 02.06.2003. The petitioner having worked satisfactorily, was promoted as Head Constable, but the promotion given to her in the year 2003 i.e. on 19.09.2003 was withdrawn vide order 06.05.2009, Annexure P-7 and order dated 10.03.2018, Annexure P-8, without due consideration of the fact that she had been promoted 6 years prior thereto. Aggrieved against the said orders, a representation was filed. However, as no decision was taken thereon, the instant writ petition has been filed.

Mr. R.K. Arora, learned counsel appearing on behalf of the petitioner fairly contends that during the pendency of this writ petition, the representation has been considered and in fact the impugned order dated 10.03.2010 stands reconsidered in the light of the fact that the petitioner's promotion as Head Constable has been taken to be as on 01.04.2003, vide order dated 13.05.2015, Annexure P-11, which would reflect that "as per the recommendations of the Departmental Promotion Committee, the promotion on the post of Head Constable (on notional basis) under women cadre is given to Women C-2 Shinderpal Kaur 346/Ludh mentioned in Promotion List C-2 below Woman Constable Kuldip Kaur 197/Ludh. mentioned at Sr. No.10 (except the employee absorbed in the Punjab Police from CRPF mentioned at Sr. No.3) and above Woman Constable Bhagwanti Rani 95/Ludh mentioned at Sr. No.11 from the date of promotion given to junior employee from 01.04.2003." Counsel would submit that once the representation has been decided in favour of the petitioner, she ought to be allowed consequential benefits including arrears of her salary other than only

allowing notional benefits. It is contended that as per Annexure P-13, the Commissioner of Police, Ludhiana, has recommended the case of the petitioner herein for promotion as Assistant Sub Inspector under the Women Cadre, as allowed to others vide order dated 15.11.2012. He would submit that now by order dated 07.10.2021, Annexure P-14, the petitioner has been promoted as Assistant Sub Inspector w.e.f. 14.09.2021. He would urge that though the basic grouse of the petitioner regarding reversion has been redressed, the subsequent orders do not take into account that she would be entitled to all consequential benefits that flow thereunder, for arrears as well as for rectification of her seniority from retrospective effect.

Consequently, the writ petition is disposed of by giving liberty to the petitioner herein to file a detailed representation seeking reliefs of retrospective seniority, arrears of salary etc. to the department within two weeks from today and on receipt of said representation, the same be considered in accordance with law within a period of one month thereafter. In case any grievance of the petitioner still survived, she would be at liberty to approach this Court again.

**(JAISHREE THAKUR)**  
**JUDGE**

**02.09.2022**

sanjeev

Whether speaking/reasoned: Yes/No  
Whether Reportable: Yes/No