

210-A

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

**CWP No.24567 of 2019
Date of decision: 24.08.2022**

JUGRAJ SINGH

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- None for the petitioner.

Mr. D. K. Singal, Addl. A.G., Punjab.

JAISHREE THAKUR, J.

This is a petition that has been filed seeking issuance of a writ in the nature of certiorari for quashing order dated 01.07.2015 (Annexure P-9) vide which, the petitioner has been reverted from the post of Head Constable to that of a Constable, without any reason and justification.

In brief, the facts are that the petitioner herein joined Punjab Police as Constable on 08.08.1988 through proper channel. He was promoted as Head Constable in the year 2011 and worked on various assignments at different places of posting. The petitioner then undertook the B-1 test but was not sent to the Lower School Course, which compelled him to approach this Court by way of filing CWP No.15509 of 2009, raising a plea that two candidates namely Gurdeep Singh and Dharampal, who were lower in merit were sent to the Lower School Course, ignoring his claim. This Court in the light of such factual contention, passed an interim order on 22.10.2009, directing that the petitioner

be allowed to join the Lower School Course subject to his eligibility and other relevant factors in context with the Rules. Pursuant to interim directions, the petitioner was sent to the Lower School Course and allowed to complete the same. He completed the said Course in February, 2010. On completion of the said Course, the petitioner filed a miscellaneous application in CWP No.15509 of 2009 and withdrew the writ petition on 12.01.2011 stating that "*the relief claimed in the petition is rendered infructuous*". The petitioner thereafter, was granted the promotion of Head Constable, which promotion was later on reviewed and by order dated 01.07.2015, he was reverted from the rank of Head Constable to that of a Constable. Aggrieved against the said order of reversion, the petitioner challenged the same by way of filing CWP No.14227 of 2015, which was dismissed by order dated 17.11.2015. Said order was thereby challenged by the petitioner by way of an intra-Court appeal in LPA No.1287 of 2016, which was also dismissed on 07.11.2016.

The petitioner herein seeks to reagitate the entire issue once again in the instant writ petition by seeking a prayer to reinstate his promotion as Head Constable.

There is no representation on behalf of the petitioner.

The prayer made in the instant writ petition is seeking to challenge the show cause notice that was issued to the petitioner dated 11.06.2015 seeking to revert the petitioner from the post of Head Constable to that of a Constable. The issue already stands settled when the petitioner herein challenged the said reversion order by filing CWP No.14227 of 2015, which was dismissed on 17.11.2015. Thereafter, the petitioner challenged the same by way of filing LPA No.1287 of 2016, which also stood dismissed on 07.11.2016, and that too by passing a speaking order.

Consequently, the petitioner herein cannot be permitted to challenge the show cause notice dated 11.06.2015 and the reversion order dated 01.07.2015 (Annexure P-9) time and time again.

The instant writ petition is barred by *res judicata* and is hereby dismissed.

24.08.2022
Chetan Thakur

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No