

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

LPA-510-2022

Date of decision : 15.02.2023

Surjit Singh

.....Appellant

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Vishavjeet Singh, Advocate, and
Mr. Shiv Kumar Rana, Advocate,
for the appellant.

RAVI SHANKER JHA, CHIEF JUSTICE (Oral)

This appeal has been filed by the appellant being aggrieved by an order and judgment dated 30.03.2022 passed by the learned Single Bench dismissing the writ petition (CWP-14492-2021), preferred by the appellant seeking quashing of order dated 08.07.2015, vide which his representations dated 08.04.2013 and 09.12.2014 claiming appointment on the post of Constable in Punjab Police had been rejected.

The brief facts, leading to filing of the writ petition, are that the appellant was initially engaged as Special Police Officer in the year 1992 and was, thereafter, discharged from the said post with effect from 30.04.1994. It is alleged that on 02.09.2002, the Deputy Inspector General of Police, Border Range, Amritsar, recommended the appellant's name for appointment to the post of Constable and the Director General of Police, Punjab, also put a favourable note in his favour, granting relaxation of height and upper age limit. The appellant filed various

representations to the authorities for his appointment on the post of Constable, but no action was taken. Thereafter, he filed CWP No. 6302 of 2015 before this Court, seeking appointment on the post of Constable, pursuant to the recommendation by the Director General of Police, Punjab, but this Court not being inclined to grant any relief to the appellant, disposed of the writ petition vide order dated 06.04.2015, directing the respondent – authorities to consider and decide the representations of the appellant. Pursuant to the direction of this Court, the authorities considered the claim of the appellant for appointment on the post of Constable and in view of the ban on direct recruitments and other facts, rejected the same vide order dated 08.07.2015.

The said order dated 08.07.2015 was assailed by the appellant by filing CWP-14492-2021, after a lapse of six years, which has been dismissed by the learned Single Bench vide the impugned order and judgment.

While dismissing the writ petition, the learned Single Bench has taken into consideration the facts : that the appellant was discharged as Special Police Officer in the year 1994; that he has never been appointed on the post of Constable; that his name was simply recommended in the year 2002 for appointment on the post of Constable; and that his previous petition filed in the year 2015 had been disposed of directing the authorities to consider and decide his representations, which were also rejected on 08.07.2015. The learned Single Bench has also noted the fact that the appellant had been discharged from the post of Special Police Officer in the year 1994 and he had filed the second petition in the year 2021, after a lapse of 27 years of his discharge from service, and after six years of rejection of his claim vide order dated

08.07.2015, without any reasonable or acceptable explanation for the delay. The learned Single Judge has also taken into consideration the fact that claim of the appellant for parity was mis-conceived on account of the fact that the benefit of absorption on the post of Constable was granted only to those Special Police Officers, who were serving as such in the years 1997, 2000, 2002 and 2004, whereas the appellant was not serving with the respondent – authorities on the post of Special Police Officer during the said years.

Having perused the impugned order and judgment passed by the learned Single Bench and having heard learned for the appellant extensively, we are of the considered opinion that there is no illegality or perversity in the impugned order and judgment, warranting interference by this Court.

Appeal being bereft of merit is dismissed.

(RAVI SHANKER JHA)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

February 15, 2023
ndj

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No