

In The High Court for the States of Punjab and Haryana
At Chandigarh

(I)

CWP-22574-2019 (O&M)
Date of Decision:- 22.8.2023

Raji Bala

... Petitioner

Versus

State of Punjab and others

... Respondents

(II)

CWP-17182-2005 (O&M)

H.C. Raji Bala

... Petitioner

Versus

State of Punjab and others

... Respondents

(III)

CM-16892-CII-2019 in
COCp-2125-2017

Raji Bala

... Petitioner

Versus

Suresh Arora DGP Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Rishu Mahajan, Advocate, for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

Mr. Ashok Aggarwal, Advocate, for respondents No.5 to 11
in CWP-17182-2005.

GURVINDER SINGH GILL, J. (Oral)

1. This order shall dispose of the above mentioned two writ petitions and application filed in COCP-2125-2017.
2. The grievance of the petitioner, as discerned upon perusal of pleadings of both the writ petitions is that while her name has been brought on the C-I list w.e.f. 1.4.2003, her juniors had been promoted much earlier.
3. On the other hand, learned State counsel submitted that the needful has been done and the name of the petitioner had been brought on C-I list w.e.f. 1.10.2002 instead of 1.4.2003. Learned State counsel has drawn the attention of this Court to para No.8 of the reply filed in CM-16892-CII-2019 in COCP-2125-2017. Para No.8 of the said reply reads as under:

“8. That the claim of the petitioner regarding her name may be brought on promotion list C-I w.e.f. 1.10.2002 instead of 01.04.2003 has been accepted and her seniority has been re-determined vide order dated 23.11.2022 (Annexure R-1)”

4. Learned State counsel has also drawn the attention of this Court to order dated 23.11.2022 (Annexure R-1) attached with affidavit dated 23.11.2022 of Mr. Gaurav Yadav, IPS, Director General of Police, Punjab, the relevant extract of which reads as under:

“5. That now the case of the petitioner has been re-examined in depth by this office Respondent. After accepting the claim of Lady/HC Raji Bala No 231/ASR her name has been brought on promotion list C-I w.e.f 01.10.2002 instead of 01.04.2003 and her name was placed at the bottom of her batch, on notional basis and subject to the final verdict of COCP No. 2125 of 2017 in CWP No. 17182 of 2005 and CWP No. 22574 of 2019 filed by Raji Bala. In this regard, orders dated 23.11.2022 (Annexure-R-1) is attached for kind perusal please.”

5. Learned counsel for the petitioner has however, submitted that although as per the stand of the State, the petitioner has been brought on promotion list C-I w.e.f. 1.10.2002 but as a matter of fact she was entitled to be brought on the said list w.e.f. 1.4.2002. It has further been submitted that the consequential benefits have also not been granted to the petitioner pursuant to the aforesaid change in date.
6. In view of the aforestated position wherein this Court finds that the order pertaining to the change in the date on which the petitioner was brought on C-I list has been passed i.e. order dated 23.11.2022, both the writ petitions as well as the application filed in COCP do not survive any longer and are disposed off as such. However, since the counsel for the petitioner expressed that the petitioner is still aggrieved by the respondent not having extended the consequential benefits and not having been brought on C-I list w.e.f. 1.4.2002, it shall be open to the petitioner to file a detailed consolidated representation in this regard to the authorities concerned, which shall be disposed of in accordance with law expeditiously. Needless to

mention, it shall always be open to the petitioner to challenge order dated 23.11.2022 (Annexure R-1).

7.
- A photocopy of this order be placed on the file of each connected case.

22.08.2023
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(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No