

2023:PHHC:110283

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

CWP-18453-2023 (O&M)
Date of Decision:-23.8.2023

Sulakhan Singh and others ... Petitioners

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Ms. Anu Chatrath, Senior Advocate with
Mr. Nikhil Singh, Advocate for the petitioners.

Mr. Inderpreet Singh Kang, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioners, who were all recruited as Constables on account of their outstanding performance in sports by way of direct recruitment during the years 1988 to 1992, seek issuance of a writ in the nature of mandamus directing the respondents to consider the representation dated 15.3.2023 (Annexure P-11) submitted by the petitioners requesting therein to consider their claim for promotion to the post of Deputy Superintendent of Police.
2. Learned counsel representing the petitioners submitted that vide letter dated 18.5.2011 (Annexure P-1), 207 additional posts were created under 'Sports Quota' and it was specifically provided that as and when any person appointed against such sports quota gets promoted, the post, which he was holding in the feeder cadre, would get abolished.

3. Learned counsel representing the petitioners further submitted that all the petitioners are presently holding the post of 'Inspector' and are entitled to be considered for promotion to the post of Deputy Superintendent of Police. It has further been submitted that although some of the persons, who were junior to the petitioners, have been promoted, the details of whom are mentioned in para No.19 of the petition, the petitioners for reasons well known to the respondents have not been granted promotion, though there is nothing adverse against them in their service record.
4. Learned counsel for the petitioners further pointed out that some other identically situated persons, who had also been ignored for promotion, had approached this Court by way of filing CWP No.3473 of 2023 seeking issuance of directions to the respondents to consider representation dated 19.9.2022 so as to consider their respective claim for promotion to the post of Deputy Superintendent of Police from the date the juniors to them have been promoted, wherein this Court had issued directions to the respondents to consider the representation dated 19.9.2022. It has been submitted that pursuant to issuance of aforesaid directions, two persons have been promoted to the post of Deputy Superintendent of Police.
5. Notice of motion.
6. On asking of the Court, Mr. Inderpreet Singh Kang, AAG, Punjab, upon whom an advance copy of petition had already been served, accepts notice on behalf of the respondent-State.
7. Learned State counsel submitted that the matter shall be considered by the authorities concerned in accordance with law and in case it is found that the

petitioners deserve to be promoted or that any of their juniors have been promoted against rules, then necessary action will be taken thereupon.

8. In view of the aforesaid submission, the instant petition is disposed of with a direction to respondent No.1 to consider and dispose of the representation dated 15.3.2023 (Annexure P-11) in accordance with law expeditiously preferably within a period of 8 weeks from today while duly noticing the contention of petitioners regarding discrimination inasmuch it has been submitted that some juniors have stolen a march over the petitioners although there is nothing adverse against the petitioners in their service record. In case, the representation dated 15.3.2023 (Annexure P-11) filed by the petitioners is accepted, then further necessary consequential benefits be extended to the petitioners within a period of 4 weeks thereafter.
9. A copy of this order along with copy of representation dated 15.3.2023 (Annexure P-11) be sent to respondent No.1 for necessary compliance.

23.8.2023

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No