



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

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**CWP-2689-1999 (O&M)
Date of decision: 25.11.2024**

BALJINDER SINGH

....PETITIONER

Vs.

STATE OF PUNJAB AND ORS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: None for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

JAGMOHAN BANSAL, J (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 23.11.1998 (Annexure P-7) whereby he was ordered to be reverted to the post of Constable.
2. The petitioner joined Punjab Police as Constable on 09.02.1981. He successfully completed Armour's course in 1985 and was posted at Ludhiana. He was promoted to the post of Head Constable. By impugned order, the petitioner was ordered to be reverted to the rank of Constable. He preferred instant petition before this Court in 1999. The matter came up for consideration before a Division Bench of this Court which passed order as below:-

“It is, inter alia, contended that the petitioner belongs to a separate wing of the Armoured Police since 1985 and is not a member of the general Police and, therefore, the question of his reversion in view of the instructions dated June 15, 1990, and November 26, 1990, copies annexures P3 and P-4 respectively would not be applicable in case of the petitioner and consequently he should not be reverted.

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Notice of motion for March 22, 1999.

Operation of order dated November 23, 1998 copy annexure P-7, is stayed.”

3. Mr. Aman Dhir, DAG, Punjab submits that in all probabilities, the petitioner has retired on attaining the age of superannuation because his date of joining was 09.02.1981.
4. The operation of impugned order was stayed on 25.02.1999 and petitioner has retired, thus, there seems no reason to allow to operate impugned order. Accordingly, interim order is hereby made absolute.
5. It is made clear that this order would not be treated as precedent.
6. Pending miscellaneous application(s), if any, shall also stand disposed of.

25.11.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

Whether speaking/reasoned Yes/No

Whether reportable Yes/No