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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

1)

CWP-5573-2019 (O&M)
Date of Decision:15.03.2024

ROSHAN LAL

..... Petitioner

Versus

STATE OF PUNJAB AND OTHERS

..... Respondents

2)

CWP-5694-2019 (O&M)

HARMESH SINGH

.....Petitioner

Versus

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Vishal Sharma, Advocate
for the petitioner.

Mr. Pawan Kumar, DAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

1.
- By this common order CWP-5573-2019 and CWP-5694-2019 are disposed of since issue involved in both the petitions and prayer sought are common. With the consent of parties and for the sake of brevity, facts are borrowed from CWP-5573-2019.
2.
- The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 20.02.2019 (Annexure P-4) whereby petitioner has been transferred from Punjab Armed Police (for short ‘PAP’) to District Police Cadre.
3.
- The claim of the petitioner is that he had served with PAP for more than 29 years. The respondent after introduction of Punjab Police Act, 2007 decided to bifurcate entire police force into four cadres

i.e. PAP, District, Intelligence and Technical. The respondent sought option from officers and petitioner opted for District Cadre. He after filing option realized that he would lose seniority and his juniors would be promoted prior to him, thus, he decided to withdraw his option and filed objections with respondent. The respondent, without adjudicating objection of the petitioner, by impugned order dated 20.02.2019 (Annexure P-4) has ordered to post the petitioner with District cadre.

4. Learned counsel for the petitioner submits that respondent in its communication dated 03.08.2018 has noted that petitioner has filed objection, however, objection of the petitioner has not been adjudicated. He does not want to leave PAP because he would lose seniority despite serving with PAP for 29 years.

5. Faced with this, learned State counsel submits that as per his instructions, the objection might have been adjudicated and if it is not adjudicated, the Competent Authority within 2 months would look into grievance of the petitioner and pass an appropriate order.

6. In the wake of statement of learned State counsel, both petitions stand disposed of.

7. Pending misc. application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

15.03.2024
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>