

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

133

CWP-5735-2024
Date of Decision: 12.03.2024

LR/ASI Harjinder Singh ...Petitioner

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Sunny Singla, Advocate for the petitioner
Mr. Aman Dhir, Deputy Advocate General, 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 09.12.2021 (Annexure P-10) whereby his claim for promotion has been rejected.

2. Mr. Sunny Singla, Advocate *inter alia* contends that respondent has revised seniority list of the police officials including the petitioner. He has been deprived benefit of promotion on the ground that he had not completed Intermediate School Course. The seniority list has been revised after retirement of the petitioner. The petitioner in 2016 was of more than 56 years, thus, he was not supposed to undergo aforesaid Course as per instruction dated 12.09.2011 issued by Director General of Police, Punjab. The petitioner cannot be asked to do an act which is impossible. He relies upon judgment of Supreme Court in *Arjun Panditrao Khotkar v. Kailash Kushanrao*

Gorantyal, (2020) 7 SCC 1.

3. Notice of motion.
4. Mr. Aman Dhir, Deputy Advocate General, Punjab who on advance notice is present in Court, accepts notice on behalf of the respondents. He fairly submits that representation of the petitioner is pending with the authorities and the same may be considered in the light of instructions issued by Director General of Police, Punjab.
5. Learned counsel for the petitioner agrees with the aforesaid arrangement.
6. In the wake of statement of both sides, the present petition stands disposed of with a direction to the respondents to decide claim of the petitioner within three months from today.

(JAGMOHAN BANSAL)
JUDGE

12.03.2024
Mohit Kumar

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>