

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

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**CWP-8509-2020 (O&M)
Date of decision: 06.03.2024**

TALWINDER SINGH**....PETITIONER****Vs.****STATE OF PUNJAB AND OTHERS****...RESPONDENTS****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: Mr. R.K. Arya, Advocate
for the petitioner.

Mr. Pawan Kumar, DAG, Punjab.

JAGMOHAN BANSAL, J (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondents to grant him promotion on the ground that his father was attacked by militants who became blind in the said incident.

2. The petitioner joined Punjab Police as Constable. In 1990, two unknown persons attacked at the residence of the petitioner. The petitioner and his father at that point of time were at home. A gun battle took place between both sides. The father of the petitioner was injured in the said incident and he lost his vision. He ultimately passed away in 2011. The petitioner came to be promoted as Head Constable in 2006 and thereafter ASI w.e.f. 24.09.2018.

3. Mr. R.K. Arya, Advocate submits that respondent has extended benefit of out of turn promotion to terrorist affected police officials, however, no benefit has been granted to petitioner despite the fact that there was an attack on his family wherein his father lost his vision.

4. Mr. Pawan Kumar DAG, Punjab submits that alleged incident took place in 1990 and petitioner remained silent from 1990 to 2019. During the intervening period, he was promoted from the post of Constable to Head Constable and thereafter Assistant Sub Inspector. The claim of the petitioner is hopelessly time barred.

5. I have heard arguments of counsel for the parties and perused the record.

6. It is conceded fact that petitioner for the first time lodged his claim of out of turn promotion in 2019 whereas his father suffered injury in 1990. The assailants were found involved in terrorists activities. The claim of the petitioner is based upon benefit extended to similarly situated employees. The claim of the petitioner is *prima facie* stale and by his act and conduct, he has acquiesced. Nevertheless, this Court deems it appropriate to request the respondents to consider case of petitioner in the light of similarly situated persons.

7. Disposed of.

8. Pending miscellaneous application(s), if any, shall also stand disposed of.

06.03.2024
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[JAGMOHAN BANSAL]
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No