



CWP-11073-2024 -1-
and other connected cases

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

111+112	CWP-11073-2024 Date of decision: 05.09.2024
HANS RAJ	PETITIONER
Vs.	
STATE OF PUNJAB AND ANR	...RESPONDENTS
CWP-12138-2024	
HARBANS SINGH @ HARBANS LAL	PETITIONER
Vs.	
STATE OF PUNJAB AND ANR	...RESPONDENTS
CWP-12149-2024	
BALDEV SINGH	PETITIONER
Vs.	
STATE OF PUNJAB AND ANR	...RESPONDENTS
CWP-12497-2024	
GURDEV SINGH	PETITIONER
Vs.	
STATE OF PUNJAB AND ANOTHER	...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Ravi Sharma, Advocate
for the petitioner(s) (in CWPs-11073-2024, 12138-2024 and 12149-2024)

Mr. Arjun Dev, Advocate for
Mr. Vivek K. Thakur, Advocate
for the petitioner (in CWP-12497-2024).

Mr. Aman Dhir, DAG, Punjab.



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JAGMOHAN BANSAL, J (ORAL)

1. By this common order CWP-11073-2024, CWP-12138-2024, CWP-12149-2024 and CWP-12497-2024 are being disposed of since issues involved in all the petitions and prayer sought are common. With the consent of parties and for the sake of brevity, facts are borrowed from CWP-11073-2024.

2. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of orders dated 19.03.2024 (Annexure P-4) and 15.12.2023 (Annexure P-3) whereby he has been denied promotion to the post of Deputy Superintendent of Police with retrospective effect.

3. The petitioner retired on 31.12.2010 on attaining the age of superannuation. On the said date, he was eligible for promotion because he had already completed required numbers of years of service as Inspector. The Departmental Promotion Committee on account of one or another reason did not find him eligible for promotion. Thus, he was not promoted. A litigation ensued between the department and different officials. Time and again orders were passed. The respondent promoted many officials retrospectively. The petitioner claims that he should also be promoted from the date, his immediate senior or immediate junior had been promoted.

4. On 14.05.2024, Mr. Ravi Sharma, Advocate had pointed out that Hardawinder Singh has been extended promotion from deemed date i.e. 31.07.2010 and on the said date, the petitioner was eligible for promotion.

5. Mr. Aman Dhir, DAG, Punjab submitted that petitioner retired on 31.12.2010 and Hardawinder Singh retired on 30.04.2021. In the seniority list of



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Inspectors, Hardawinder Singh was at Sr. No. 664 whereas petitioner was at Sr. No. 871. In the revised seniority list, Hardawinder Singh was at Sr. No. 7 whereas petitioner was at Sr. No. 91. As petitioner was at Sr. No. 91 in the revised seniority list of Inspectors, there was no question of his comparison with Hardawinder Singh because he was at Sr. No. 7 in the revised seniority list.

6. In any case, the immediate junior of the petitioner was Ajaib Singh who was at Sr. No. 92 in the revised seniority list of Inspectors. The said official was granted deemed promotion w.e.f. 31.08.2011 and by the said date, petitioner had already attained age of superannuation. In such circumstances, the claim of petitioner is not sustainable.

7. From the perusal of record, I find that there is substance in the submissions of the State counsel. There was no discrimination with the petitioner at any point of time. There is not even a single case vindicating stand of the petitioner that his junior was promoted prior to him or his immediate senior got promotion at a much prior time.

8. In the wake of above discussions and findings, this Court is of the considered opinion that the petitions deserve to be dismissed and accordingly dismissed.

05.09.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No