



CWP-11383-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-11383-2024
Date of Decision: 27.05.2024

Sukhjinder Singh ...Petitioner

Versus

State of Punjab and others ...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. R.S. Bajaj, 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 direction to respondents to grant him 'Local Rank' of Inspector.
2. This Court on 16.05.2024 passed the following order:-

“Learned counsel for the petitioner inter alia contends that respondent by communication dated 03.05.2024 (Annexure P-8) has intimated that his case for local rank of Inspector has been forwarded to Director General of Police. The respondent has not taken any decision and petitioner is going to voluntarily retire on 31.05.2024.

Notice of motion, returnable for 27.05.2024.

Mr. Aman Dhir, DAG, Punjab, who on advance notice is present in Court, accepts notice and waives service. He seeks time to get instructions.

In view of communication dated 03.05.2024, the respondents are hereby directed to take an appropriate decision before the adjourned date. To be shown in the urgent list.”



3. Mr. Aman Dhir, Deputy Advocate General, Punjab submits that petitioner, who is Sub-Inspector, was not promoted on account of pending departmental inquiry which concluded on 23.04.2024. The proceedings were dropped, thus, petitioner became entitled to promotion, however, before his case could be finalized, another departmental proceeding came to be initiated on 07.05.2024.

4. On being asked, Mr. Aman Dhir confirms that department has formed an opinion to initiate proceedings, however, till date neither show cause notice nor charge sheet has been served upon the petitioner. He further concedes that promotion is not going to financially affect the petitioner and it would simply give him higher rank.

5. Considering the fact that petitioner is going to retire on 31.05.2024 and assigning of Local Rank of Inspector is neither financially affecting him nor State Government, the respondent is directed to sympathetically consider case of the petitioner for the rank of Inspector (Local Rank). The respondent shall also keep in mind that petitioner till the filing of present petition was neither served show cause notice nor charge sheet.

6. Disposed of in above terms.

(JAGMOHAN BANSAL)
JUDGE

27.05.2024
Mohit Kumar

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