



CWP-13472-2015

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

(101-A)

CWP-13472-2015

Date of Decision : August 09, 2024

Dharamveer Singh

.. Petitioner

Versus

State of Haryana and others

.. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. S.K. Redhu, Advocate, for the petitioner.

Mr. Saurabh Girdhar, Assistant Advocate General, Haryana.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present writ petition, the grievance being raised by the petitioner is that junior of the petitioner namely Karan Singh, who was also promoted as officiating Head Constable along with the petitioner on 11.08.1989, was further promoted as ASI in the year 2005 whereas, the petitioner has only been given promotion as Assistant Sub Inspector Operational w.e.f. 07.07.2009, which is arbitrary and illegal.

2. Learned counsel for the petitioner submits that the petitioner was not promoted when Karan Singh was promoted in the year 2005 on the ground that there were departmental proceedings pending against the petitioner and as of now, the said departmental proceedings have already been quashed by this Court in **CWP No.827 of 2014 titled as**

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Dharamveer vs. State of Haryana and therefore, once the disciplinary proceedings have been quashed, the petitioner is entitled to be considered for promotion w.e.f. the date employee junior to him has been promoted.

3. Learned counsel for the respondents submits that the claim of the petitioner will be considered in accordance with law and facts and in case, the disciplinary proceedings have already culminated and the petitioner has not been found guilty and the promotion of the petitioner to the post of ASI was not given when his junior was promoted in the year 2005, appropriate speaking order will be passed considering all the facts and in case, it is found that the petitioner is entitled for the benefit of promotion w.e.f. the date Karan Singh No.1143/C was promoted, appropriate benefit will be given otherwise in case, the claim of the petitioner is not found meritorious, due reasons will be mentioned in the speaking order to be passed, which will be passed within a period of eight weeks of the receipt of copy of this order.

4. Learned counsel for the petitioner submits that keeping in view the statement of learned counsel for the respondents, the present writ petition may kindly be disposed of having been not pressed any further.

5. Ordered accordingly.

August 09, 2024*harsha***(HARSIMRAN SINGH SETHI)****JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No