



CWP-28617-2024

-1-

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

116

CWP-28617-2024

Date of decision: 22.10.2024

KASHMIRA SINGH AND OTHERS**....PETITIONERS****Vs.****STATE OF PUNJAB AND ANOTHER****...RESPONDENTS****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: Mr. Jagdish Manchanda, Advocate
for the petitioners.

Mr. Aman Dhir, DAG, Punjab.

JAGMOHAN BANSAL, J (ORAL)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking setting aside of office order dated 21.12.2023 (Annexure P-14) whereby claim of petitioners for retrospective promotion has been declined.

2. The petitioners are ex-Punjab Police officials. They joined Punjab Police as Constables. They came to be promoted from one rank to another. They retired on different dates like Swaran Singh (petitioner No. 2) retired on 31.07.2011 and Kashmira Singh (petitioner No. 1) retired on 31.05.2012. The State Government, pursuant to directions of this Court prepared a joint seniority list of Inspectors. On 30.07.2021 prior to preparation of joint seniority list, there were two separate cadres i.e. Punjab Armed Police and District Police. On account of preparation of joint seniority list, status of almost every police official changed. In view of changed seniority list of Inspectors, their further

promotion was re-considered. Many Inspectors came to be retrospectively



promoted to the rank of DSP. The petitioners were not promoted and they are claiming that they should also be promoted to the rank of DSP with retrospective effect.

3. Mr. Jagdish Manchanda, Advocate submits that petitioner No. 2 retired on 31.07.2011 and he has been denied promotion, though, his junior has been promoted w.e.f. 31.08.2011. The respondents have created artificial date of promotion for different officials. Resultantly, few officers are deprived of the opportunity of promotion.

4. Mr. Aman Dhir, DAG, Punjab, who on advance notice is present in Court and submits that there is no case where a junior has been promoted on a date when petitioners were in service. The promotions were made as per outcome of Departmental Promotion Committee (for short 'DPC') meetings. The meetings of DPC were held on different dates and there are few officials who retired prior to date of meeting. Resultantly, they could not be considered. There is no allegation of bias or favouritism against members of DPC. The petitioner No. 2 retired on 31.07.2011 and no junior was promoted on the said date.

5. From the perusal of record, it comes out that there is not even a single case where junior of petitioners has been promoted prior to petitioners' retirement. The petitioners retired prior to their eligibility or consideration by DPC to the post of DSP. The juniors were subsequently considered and promoted. The petitioners cannot claim benefit in the absence of evidence disclosing that there was favouritism or bias on the part of official respondents or they were intentionally deprived of retrospective promotion to the post of



CWP-28617-2024 -3-

DSP. Thus, I do not find any substance in the submissions of counsel for the petitioners.

6. Dismissed.

22.10.2024
manoj

[JAGMOHAN BANSAL]
JUDGE

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