



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

**CWP No.2523 of 2025(O&M)
Date of Decision: 07.03.2025**

Bishan Dass and others

....Petitioners

VS.

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

**Present: Mr. V.S.Kathpal, Advocate
for the petitioners (though VC)**

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 direction to respondents to grant them promotion to the rank of Head Constable with effect from 03.12.2021.

2. The petitioners are retired police officials. They joined Punjab Police as Constable. They retired during December'2021 to February'2022. They at the time of superannuation were holding local rank of Assistant Sub Inspector. They were not holding substantive rank of either Head Constable or Assistant Sub Inspector. The respondent after their retirement prepared list 'C' dated 13.03.2022 which is meant for promotion to the rank of Head Constable. The names of petitioners figured in the list 'C'.

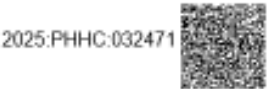


3. Mr. V.S.Kathpal, Advocate submits that petitioners were eligible for promotion with effect from 03.12.2021 and on account of lapse on the part of respondent, they could not be promoted. List 'C' was prepared after their retirement.

4. Mr. Aman Dhir, DAG, Punjab submits that names of petitioners were recorded in list 'C' with effect from 03.12.2021 though by order dated 13.03.2022. Recording of names in list 'C' does not amount to promotion to the higher rank. It makes a Constable eligible for promotion but does not mean that from the date of recording his name in list 'C', he should be promoted.

5. On the asking of Court, Mr. Dhir confirms that there is no official who was promoted prior to the petitioners despite being junior. The petitioners retired by February'2022. During December'2021 to March'2022, no official was promoted, thus, there is no question to promote the petitioners.

6. From the perusal of record, it is evident that names of petitioners were entered in list 'C' with effect from 03.12.2021, however, no meeting of Departmental Promotion Committee took place during December'2021 to February'2022 and in the intervening period, the petitioners retired, resultantly, they could not be promoted,. There is no junior who has been promoted prior to the petitioners. Entry in list 'C' makes a Constable eligible for promotion but does not create right of promotion. He is promoted as soon as there is meeting of Departmental Promotion Committee and his case is considered.



7. In the wake of above discussion and findings, the instant petition deserves to be dismissed and accordingly hereby dismissed.

(JAGMOHAN BANSAL)
JUDGE

07.03.2025
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:		No