



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

CWP No.14359-2000(O&M)

Date of Decision: 27.03.2025

Jyoti Ram

....Petitioner

VS.

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Abhishek Masih, Advocate for
Mr. Bikramjit Singh Patwalia, Advocate
for the petitioner

Mr. Raman Sharma, Addl. A.G., Haryana

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 restore his seniority as Sub Inspector over respondent No. 4-Dilbagh Singh.

2. Petitioner and Dilbagh Singh joined as Constable with effect from 09.03.1966 and 12.04.1972 respectively. Both were promoted from time to time. The petitioner was promoted as Head Constable with effect from 01.06.1975 whereas respondent No. 4 was promoted with effect from 13.08.1976. Their date of confirmation as Head Constable was 04.12.1980 and 01.04.1981 respectively. The respondents promoted Dilbagh Singh as Assistant Sub Inspector with effect from 22.10.1985 whereas petitioner was promoted as Assistant Sub Inspector with effect from 29.05.1987. The date



of confirmation of Dilbagh Singh and petitioner as Assistant Sub Inspector was 31.01.1990. Dilbagh Singh was promoted as Sub Inspector with effect from 01.01.1995, however, his date of promotion was modified. Dilbagh Singh was promoted as Sub Inspector with retrospective date i.e. 27.07.1990 and petitioner was promoted as Sub Inspector with effect from 30.09.1998 and he was given promotion with retrospective date i.e. 28.06.1994. The date of confirmation of Dilbagh Singh as Sub Inspector was 31.08.1999 whereas petitioner was confirmed as Sub Inspector with effect from 31.08.2000. On account of promotion of Dilbagh Singh as Assistant Sub Inspector prior to petitioner, he (Dilbagh Singh) came to be promoted as Inspector prior to the petitioner's promotion.

3. Mr. Raman Sharma, Addl. A.G., Haryana submits that in view of orders of this Court passed in CWP No. 12785 of 1997, Dilbagh Singh was given promotion from retrospective date which entailed his promotion prior to petitioner's promotion.

4. The claim of Dilbagh Singh was qua his juniors i.e. Jai Parkash and Daya Ram. He was eligible to higher rank prior to his juniors, however, he could not be granted higher rank prior to his senior Jyoti Ram-petitioner. The petitioner was concededly senior to Dilbagh Singh, thus, respondent was bound to consider his claim prior to claim of Dilbagh Singh.

5. In the wake of above discussion and findings, the petition stands disposed of with a direction to respondent No. 3 to re-consider claim of the petitioner. He would be extended benefit of promotion at par with his juniors subject to his compliance of applicable rules and regulations. If he is found eligible to promotion from retrospective date, he would be entitled to

consequential benefits. It is made clear that arrears, if any, shall not carry interest. Let the needful be done within six months from today.

6. Pending Misc. application(s), if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

27.03.2025
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:		No