



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

**CWP-13741-2004 (O&M)
Date of Decision: 08.12.2025**

Chander Singh

...Petitioner

Versus

State of Haryana and Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Aditya Yadav, Advocate,
Mr. Viransh Ghawari, Advocate,
Mr. Atul, Advocate and
Ms. Hemlata, Advocate
for the petitioner.

Mr. Arun Kumar Singla, AAG, Haryana.

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 11.08.2004 whereby respondent withdrew his promotion as Head Constable (HC).

2. The respondent considered petitioner's achievements in sports and promoted him as Adhoc HC vide order dated 21.12.1989. His promotion was confirmed w.e.f. 31.01.2002 treating him HC w.e.f. 22.11.1999. The respondent by impugned order withdrew his promotion. The promotion was withdrawn on the ground that petitioner did not win requisite medals.

3. From the perusal of recommendation letter dated 16.12.1989, it is evident that higher police authorities considered petitioner's achievements in sports and thereafter decided to promote him.

4. Learned State counsel expressed his inability to dispute/doubt sports achievements of the petitioner as noticed in recommendation letter dated 16.12.1989. He further expressed his inability to controvert that impugned order was passed without issuing notice and granting opportunity of hearing.

5. The respondent considered petitioner’s sports achievements and thereafter recommended his case for promotion. There is no allegation of misrepresentation or concealment of facts on his part. His promotion was withdrawn without issuing notice and granting opportunity of hearing. The moment he was promoted, a right accrued in his favour. Promotion after a long period could not be withdrawn without complying with principles of natural justice. The petitioner has passed away, thus, impugned order cannot be set aside with liberty to respondent to grant opportunity of hearing and pass fresh order.

6. In the backdrop, this Court finds it appropriate to set aside impugned order. Accordingly, impugned order dated 11.08.2004 is hereby set aside. Wife of the petitioner, if alive, would be entitled to consequential benefits.

7. Let the needful be done within three months from the date of filing representation by petitioner’s wife claiming benefit consequent to aforesaid order.

8. Pending application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

08.12.2025
Prince Chawla

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No