



CWP-7995-2021

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

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CWP-7995-2021 (O & M)
Date of decision: 21.01.2025

Kewal Singh

....Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Dheeraj Mahajan, Advocate,
for the petitioner.

Mr. Charanpreet Singh, AAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition is for directing the respondents to promote the petitioner to the post of Group Instructor w.e.f. 08.03.2019, the date on which his juniors were considered and granted promotion.

2. Learned counsel submits that the petitioner was working on the post of Wireman Instructor and was duly considered for promotion, as is reflected in the order dated 08.03.2019, the note whereof reads thus:

1. In the 75% quote of the Instructor, post of Group Instructor for Kewal Singh and Rupinder Singh are reserved on account of pendency of two preliminary enquiries against Kewal Singh, Seniority No.569, and on account of pendency of charge-sheet against Rupinder Singh Seniority No.572, till the decision thereof.

He states that as on that date, there was no charge-sheet that had been issued against the petitioner and, therefore, was entitled for promotion, for



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which he places reliance on the judgments in **Darshan Singh vs. State of Punjab** 1993(3) SCT 403 and **Satpal Singh vs. State of Punjab** 1993(3) SCT 404, involving the identical factual position. He also states that in para 3 of the written statement as well, it has been stated that the allegations against him regarding which two preliminary inquiries were stated to be pending, were false.

3. The aforesaid facts having been brought out, during the course of hearing, learned State counsel on instructions, states that the respondents would not be averse to have a relook at the matter and decide afresh within a period of 04 months by passing a speaking order, taking note of the aforesaid submissions and judgments, which satisfies learned counsel for the petitioner.

4. The matter stands disposed of accordingly and if the petitioner is found entitled, grant the benefit forthwith. Needless to say, if the orders are adverse to his interest, the same may be passed after granting opportunity of hearing to him and shall contain reason, whereupon the petitioner shall be free to seek legal redress thereupon.

21.01.2025

parveen kumar

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

(AMAN CHAUDHARY)
JUDGE