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

CWP-10824-2003 (O&M)

Date of Decision: 10.12.2025

Siri Ram

...Petitioner

Versus

State of Haryana and Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

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

Mr. Suneel Ranga, DAG, Haryana (Through V.C.).

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petitioner under Articles 226/227 of the Constitution of India is seeking benefit of 1st Assured Career Progression on completion of 10 years service.

2. The petitioner was appointed as Constable in Haryana Police on 11.12.1988. He was issued chargesheet dated 11.03.1998 for illegal gratification from a cattle owner. He vide order dated 28.02.1999 was awarded punishment of stoppage of one increment with temporary effect. He filed appeal before the Appellate Authority which remanded the matter for fresh consideration subject to the concurrence by the District Magistrate ('DM') under Rule 16.38 of Punjab Police Rules, 1934 (as applicable to the State of Haryana) (for short 'PPR'). The matter was put up before DM who denied to grant concurrence. As per reply and Annexure R-1, the petitioner requested to Appellate Authority to

withdraw its order directing *de novo* inquiry and uphold punishment order. The Appellate Authority vide order dated 07.12.199 upheld order of punishment and withdrew order of inquiry.

3. Learned State counsel submits that petitioner was granted first ACP in 2008 and second ACP in 2016. He has already retired on attaining the age of superannuation. He was awarded punishment of forfeiture of one increment with temporary effect, thus, was not entitled to benefit of ACP on completion of 10 years' service.

4. Learned counsel for the petitioner submits that the petitioner was never awarded major punishment whereas forfeiture of one increment with temporary effect was a minor punishment and ACP cannot be denied on the ground of minor punishment.

5. Learned State counsel, on being asked, failed to point out any provision which restricts ACP in case of minor punishment and submitted that petitioner may file fresh representation and Competent Authority would consider his claim.

6. The instant petition was filed in 2003 and respondent has granted first and second ACP during the pendency of the petition. The petitioner is claiming that he must have been granted ACP in 1998 i.e. on completion of 10 years' service whereas respondent granted in 2008 i.e. on completion of 20 years' service. There is nothing on record disclosing that ACP could be denied on the ground of forfeiture of one increment with temporary effect. Concededly, punishment of forfeiture of one increment with temporary effect is minor punishment.

7. The petition stands ***disposed of*** with liberty to the petitioner to move an appropriate application/representation to respondent who

would decide his claim within three months from today in accordance with law.

8. The respondent if comes to a conclusion that petitioner was not entitled to ACP on completion of 10 years’ service, shall advance reasons for said conclusion.
9. Pending application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

10.12.2025
Prince Chawla

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