



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

CWP-9913-2025

Date of Decision: 07.04.2025

Ramrattan

.....Petitioner(s)

Versus

State of Haryana and others

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. J.P. Dhull, Advocate,
for the petitioner.

Ms. Rajni Gupta, Addl. A.G., Haryana.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226 and 227 of the Constitution of India is seeking setting aside of order dated 10.02.2025 (Annexure P-3) whereby his claim for promotion to the rank of Head Constable and consequential promotions from 2002 has been declined.

2. The petitioner claims that as per instructions dated 04.05.2018 issued by State Government, all Government Departments are required to undertake an exercise to ascertain the backlog in respect of promotions of Scheduled Castes in their respective Group C and D cadres w.e.f. 17.06.1995 till date and clear the backlog in promotions at the earliest. The petitioner joined Haryana Police Force



on 05.08.1992 and he appeared for B-1 Test under 55% quota in 2002-03. His name figured at Sr. No.36 in the list of 63 Constables. The respondent allotted 22 seats to District Sonapat under 55% quota. Thus, 22 Constables as per their merit were selected for Lower School Course (in short 'LSC'). One official namely Constable Sajjan Singh belonging to Scheduled Caste Category was deputed for LSC out of 22 candidates. He was not selected as per roster point whereas on the basis of his merit. The petitioner was not selected for LSC as at that time there was no provision for reservation. The respondent in terms of instructions issued by State Government extended deemed date of promotion to the petitioner. His actual date of promotion as Head Constable was 10.04.2011 whereas he was promoted w.e.f. 19.10.2010. Similarly, he was actually promoted to the rank of ASI on 29.07.2019 whereby he was granted promotion w.e.f. 24.12.2012.

3. Mr. J.P. Dhull submits that petitioner was not granted reservation while selecting candidate for LSC, thus, he could not pass LSC in 2002-03. Had he been granted reservation, he must have passed LSC in 2002-03 and would have become Head Constable in 2002-03. It has adversely affected his entire career. He became Head Constable in 2010 as per reservation policy whereas he should have been promoted in 2002-03.

4. I have heard the arguments and perused the record.

5. From the perusal of record, it is evident that there was no instruction with respect to reservation for selecting the candidate to depute for LSC. There was reservation in promotional posts, however, there was no provision for reservation while selecting candidates for LSC. The petitioner cleared LSC in 2011 and his name was recorded in C-1 in 2011. He was granted promotion from



a back date as Head Constable. The promotion from back date was granted as per instructions dated 04.05.2018. He was extended benefit of deemed date of promotion to the rank of Head Constable as well as ASI. He was actually promoted to the rank of ASI in July’ 2019 whereas he was given deemed date of promotion from December’ 2012.

6. In the absence of specific reservation for deputing officials for LSC, the petitioner was not deputed for LSC. He actually passed LSC in Batch No. 53. If he is extended deemed date of promotion as Head Constable from 2000-03, it would amount to his promotion without passing LSC. Passing of LSC was indispensable.

7. In the wake of above discussion and findings, this Court is of the considered opinion that petitioner has already been extended benefits available to him. The petition being bereft of merit, deserves to be dismissed and accordingly dismissed.

07.04.2025

(JAGMOHAN BANSAL)

shivani

JUDGE

Whether reasoned/speaking

Yes

Whether reportable

No