



CWP-12220-2012 (O&M)

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

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CWP-12220-2012 (O&M)

Date of decision: 10.11.2025

GURMIT SINGH AND OTHERS**...Petitioners****Versus****STATE OF PUNJAB AND OTHERS****...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: Mr. K.S. Sekhon, Advocate
for petitioner No.1.

Mr. K.G. Chaudhry, Advocate with
Ms. Sakshi Singh, Advocate
for petitioners No.2 and 3.

Mr. Aman Dhir, DAG, Punjab.

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking setting aside of order dated 25.04.2012, whereby they were reverted to their substantive rank.
2. The respondents vide order dated 25.04.2012 reverted petitioners from their higher ORP rank to lower ORP rank e.g. petitioner No.3-Iqbal Singh was holding ORP rank of ASI and he was reverted to the rank of Head Constable and his substantive rank was Constable.
3. On 03.07.2012, while issuing notice of motion, interim relief was granted. Order dated 03.07.2012 reads as under:

"The present petition has been preferred by the petitioners impugning the order dated 25.04.2012 (Annexure P-11) whereby the petitioners were reverted from the post of ASI to Head Constable.



Learned counsel for the petitioners contends that identical controversy is pending consideration before this Court in number of writ petitions and in this regard makes reference of CWP No.1865 of 2012 titled as Baljinder Singh Vs. State of Punjab etc., in which notice of motion was issued and the operation of the impugned order was stayed.

Notice of motion for 05.07.2012.

On asking of the Court, Mr. Vivek Chauhan, Assistant Advocate General, Punjab accepts notice on behalf of the respondents. A copy of the petition be supplied to him during the course of the day.

To be heard alongwith CWP No.1865 of 2012.

Interim order in the same terms."

4. The respondent in its affidavit dated 22.08.2022 has disclosed that the petitioners on account of completion of 24 years' of service have been granted local rank of ASI. Relevant extracts of reply read as under:

"The above instructions have been issued to all heads of Punjab Police vide this office letter dated 21.08.2018. Thereafter, vide office letter dated 09.05.2022 instructions were issued to all heads of Punjab Police that the official who have completed 24 years of service to consider them for the local rank of ASI at their own level. As per the above instructions the petitioners have completed 24 years' service and eligible for local rank of ASI. As per the office record petitioners were enlisted as Constable w.e.f 28.07.1991, 01.01.1992 and 21.03.1994 respectively. As such, petitioners are eligible for the local rank of ASI as per the above Govt. instructions issued on 07.07.2018. In view of the above instructions, petitioners namely Prem Chand No. 2180/BTA and Iqbal Singh No. 75/2010 have already been granted local rank of ASI vide order dated 04.06.2019 & 28.02.2020. However due to pendency of three departmental enquiries and FIR No. 18 dated 29.09.16 u/s 409/420/120-B IPC 7,13(2) 88 PC Act, PS Vigilance



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Bureau, Bathinda registered against petitioner Gurmeet Singh No. 1069/BTA his case for granting local rank of ASI has been kept pending."

5. On 06.02.2023, the following order was passed:

"Learned counsel representing the petitioner refers to affidavit filed by Ms. Kanwardeep Kaur, Assistant Inspector General of Police, Personnel-II, Punjab dated 22.08.2022 to submit that Prem Chand No. 2180/BTA (petitioner No. 2) has been granted local rank of ASI vide order dated 04.06.2019 and there is no grievance left qua him. Qua Iqbal Singh bearing No. 75/2010 (petitioner No. 3), he submits that vide P-5, he was granted rank of Sub Inspector on 04.03.2016 and instead of being reverted as ASI w.e.f. 28.02.2020, he is ready to retire as Sub Inspector in case respectable dues are clear.

Learned State counsel prays for time to seek instructions.

Qua Gurmit Singh (petitioner No. 1), it is submitted by learned counsel for the petitioners, that nothing survives in the present writ petition.

Adjourned to 23.03.2023."

6. Mr. K.G. Chaudhry, Advocate submits that respondents withdrew order impugned in CWP-1865-2012. The respondents withdrew similar orders in the case of other employees, however, order impugned herein was not withdrawn.

7. Learned State counsel submits that petitioner No.1 could not be granted local rank of ASI because he was facing criminal case. The petitioner No.2 was granted local rank on completion of 24 years' service. Similarly, petitioner No.3 was granted local rank on completion of 24 years' service.

8. As noticed in order dated 06.02.2023, the petitioner No.3 was assigned local rank of Sub-Inspector vide order 04.03.2016. He even as on day is holding local rank of Sub-Inspector. The petitioner No.1 has been acquitted vide



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judgment dated 08.10.2024 passed by Special Judge, Bathinda in FIR No.18 dated 20.09.2016 under Sections 409, 420, 120-B IPC and Sections 7, 13(2) PC Act, 1988 registered at Police Station Vigilance Bureau, Bathinda.

9. Faced with this, learned State counsel submits that case of petitioner No.1 would be reconsidered as per judgment of acquittal. The petitioner No.2 has already retired and as conceded by counsel for the petitioner, his grievance stands redressed. The question remains of only petitioner No.3. He expressed his inability to controvert that on account of interim order passed by this Court, petitioner No.3 continues to hold local rank of ASI. He further expressed his inability to controvert that petitioner was assigned local rank of SI during the pendency of instant petition and even today is holding local rank of SI.

10. In view of statement of both sides and interim order dated 03.07.2012 passed by this Court and designation of petitioner No.3 as Sub-Inspector (local rank) during the pendency of petition, the petition stands **disposed of** with a direction to respondents to consider case of petitioner No.1 in view of judgment of acquittal as well as pending departmental inquiries and case of petitioner No.3 in view of order dated 04.03.2016, whereby he was assigned rank of Sub-Inspector (local rank) during the pendency of petition. The petitioners would be entitled to salary and allowances as per their entitlement.

11. All the pending miscellaneous applications, if any, shall stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

10.11.2025

P.Bhatt

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No