



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

211

CWP-24967-2012

Date of decision: 27.10.2025

JIYA RAM

...Petitioner

Versus

STATE OF HARYANA AND ORS.

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. S.K. Redhu, Advocate for the petitioner.

Mr. Ravi Pratap Singh, DAG, Haryana.

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking setting aside of order dated 15.04.2011 (Annexure P-5), whereby the Inspector General of Police, South Range, Rewari has rejected his representation seeking promotion.

2. The petitioner is part of Haryana Police Force. He was awarded punishment of censure vide order dated 17.07.2004 on account of over claiming travelling allowance. On account of punishment of censure, he was not promoted to the rank of Head Constable.

3. Learned counsel for the petitioner submits that on account of punishment of censure, promotion could be withheld for 6 months. The respondents have wrongly withheld his promotion for 10 years. Case of the petitioner is squarely covered by judgments of this Court passed in **CWP-3342-2007** titled **HC Dalsher Singh vs. State of Haryana and others** and **LPA-1124-2022** titled **State of Haryana and others vs. HC Kuldeep and another**.

4. Learned State counsel submits that as per Government instructions,



an employee cannot be promoted for 10 years if his integrity is found doubtful.

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

6. From perusal of record, it is evident that the petitioner was awarded punishment of censure. The said punishment was awarded on account of over claiming travelling allowance. The jurisdictional authority did not record adverse remarks in his ACR. As per afore-cited judgments of this Court, the petitioner could be denied promotion for 6 months whereas respondents have withheld his promotion for 10 years. Case of the petitioner *prima facie* seems to be covered by aforesaid judgments.

7. The respondents are hereby directed to consider petitioner's case in terms of aforesaid judgments.

8. Let the needful be done within 3 months from today.

9. If the petitioner is found eligible for promotion from retrospective date, he shall be granted consequential benefits.

10. Before parting with the order, I deem it appropriate to observe that jurisdictional authority should record adverse remarks in ACR if punishment of censure is awarded on account of doubtful integrity. This Court has observed that respondents are not promoting officials on account of punishment of censure though no adverse entry is recorded in the ACR.

11. ***Disposed of*** in above terms.

(JAGMOHAN BANSAL)
JUDGE

27.10.2025

P.Bhatt

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