



CWP-15386-2025

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

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CWP-15386-2025

Date of Decision: 27.05.2025

Azad Singh

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. Lalit Pardhan, Advocate for the petitioner

Ms. Rajni Gupta, Additional Advocate General, Haryana

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting side of order dated 09.05.2022 (Annexure P-17) whereby respondent has rejected his legal notice dated 02.03.2021 (Annexure P-15).

2. The petitioner was enlisted as Constable in 5th Battalion HAP, Madhuban on 24.08.1982. He passed Lower School Course and was promoted as Head Constable in September' 1987. In February' 1988, the respondent constituted a Special Force known as Commando Force. The petitioner came to be deputed to said force on 02.06.1988. He was promoted to the post of Assistant Sub-Inspector ('ASI') on *ad hoc* basis. He was further promoted to the post of Sub-Inspector ('SI') on *ad hoc* basis in May' 1991. By order dated 02.08.1994, he came to be repatriated to his parent unit. He was reverted to his substantive rank i.e. Head Constable. He was promoted to the post of ASI in 2000 and SI in 2012. He was further



promoted as Inspector in 2017. He submitted a representation to Director General of Police, Haryana on 18.07.2019. He served notice under Section 80 of Code of Civil Procedure, 1908 upon the respondent on 02.03.2021. He preferred *CWP No.26472 of 2021* before this Court, which was disposed of vide order dated 22.12.2021 with a direction to respondent to pass speaking order within a period of four months. The respondent by order dated 09.05.2022 has rejected petitioner's claim.

3. Learned counsel for the petitioner submits that Vijender Singh, a fellow Sub-Inspector, was absorbed in Commando Force and promoted to the rank of Inspector with effect from 09.01.2007. He was further promoted as Deputy Superintendent of Police ('DSP') in 2014. He retired as DSP in 2017. The petitioner like his colleague Vijender Singh deserves to be granted promotion. His promotion in Commando Force as ASI and SI needs to be considered.

4. On being asked, learned counsel for the petitioner expressed his inability to controvert that repatriation order dated 02.08.1994 was never challenged whereas Vijender Singh opted for litigation and on account of order of this Court, he was absorbed. The petitioner cannot claim parity with Vijender Singh. He, as per his wisdom, accepted his order of repatriation. The consequences were bound to follow. It is further apt to notice that petitioner was repatriated as Head Constable and got promotion as SI as well as Inspector in his parent cadre. He started filing representations in 2019 which came to be dismissed by authorities. The claim of the petitioner is hopelessly barred by limitation.



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5. In the wake of above discussion and findings, this Court is of the considered opinion that present petition deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

27.05.2025
Mohit Kumar

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