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

CWP-16017-2025

Date of Decision: 29.05.2025

KAILASH

..... Petitioner

Versus

STATE OF HARYANA AND OTHERS

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Sunil K. Nehra, Advocate with
Mr. Viren Nehra, Advocate and
Mr. Rahil Mahajan, Advocate
for the petitioner.

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

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226 /227 of the Constitution of India is seeking direction to respondent to grant him promotion to the rank of Exemptee Head Constable (HC) w.e.f. 05.09.2019.

2. The petitioner claims that he alongwith HC Kuldeep was subjected to preliminary inquiry conducted by Ms. Astha Modi, IPS. The Inquiry Officer found them involved in corrupt practices. Both were subjected to punishment of censure. Kuldeep approached this Court by way of ***CWP-5915-2022, Kuldeep vs. State of Haryana and others*** claiming promotion on the ground that there is no adverse entry *qua* integrity in his last 10 years Annual Confidential Reports (ACRs). Thus, he cannot be denied promotion to the rank of ASI. The said writ petition was allowed vide order dated 08.08.2022 by this Court. He is at par with



Kuldeep and cannot be denied avenue of promotion.

3. On being confronted with order dated 08.08.2022 passed by this Court in CWP-5915-2022 and order dated 06.12.2023 passed in *LPA-1124-2022, State of Haryana and others vs. H.C. Kuldeep and another*, Ms. Rajni Gupta, Addl. A.G., Haryana submits that petitioner has not enclosed relevant 10 years ACRs. There is possibility that there may be adverse entry *qua* integrity in his ACR. However, she expresses her inability to controvert the applicability of afore-cited orders to the facts of instant case if there is no adverse entry in his ACR *qua* integrity.

4. In the wake of arguments of both sides, instant petition stands disposed of with a direction to respondent to consider claim of the petitioner in the light of order dated 08.08.2022 passed by this Court in CWP-5915-2022 and order dated 06.12.2023 passed in LPA-1124-2022. The competent authority while passing order shall be at liberty to consider relevant ACRs of the petitioner *qua* integrity as per instructions dated 21.05.1973. Let the needful be done within 3 months from today.

(JAGMOHAN BANSAL)
JUDGE

29.05.2025
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No