



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

Date of Decision: 29.09.2025

1. CWP-2435-2016 (O&M)

Piran Ditta

...Petitioner

Versus

State of Punjab and Others

...Respondents

2. CWP-6780-2016 (O&M)

Charanjit Singh

...Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Arjun Sawhni, Advocate for
Mr. Manu K. Bhandari, Advocate for the petitioner(s).

Mr. Aman Dhir, DAG, Punjab.

Mr. P.S. Guliani, Advocate for respondent No.4.

JAGMOHAN BANSAL, J. (ORAL)

1. As common issues are involved in the captioned petitions, with the consent of both sides, the same are hereby disposed of by this common order. For the sake of brevity and convenience, facts are borrowed from **CWP-2435-2016**.

2. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of orders dated 30.12.2014 and 10.03.2015 whereby respondent has rejected his claim for promotion at par with respondent No.4.

3. The petitioner was recruited as Constable on 11.09.1989. He passed Lower School Course in October' 2007. He was promoted as Head Constable on 01.04.2010. He submitted representation dated 26.11.2011

seeking promotion on the ground of his good work. Jurisdictional Deputy Superintendent of Police (**DSP**) recommended his case for out of turn promotion. Senior Superintendent of Police vide communication dated 22.12.2011 further recommended his case for out of turn promotion. Deputy Inspector General of Police (**DIG**) forwarded his claim to Director General of Police (**DGP**) with his recommendations. The respondent-DGP did not consider his claim and he preferred writ petition before this Court which was disposed of vide order dated 22.09.2014 with a direction to respondent to decide his representation. The respondent by impugned order has rejected petitioner's representation.

4. Learned counsel representing the petitioner submits that petitioner is a meritorious officer. He was adorned with more than 60 appreciation letters. Till date, he has been awarded 125 appreciation letters. The respondent No.4 did nothing outstanding still he was promoted out of turn. The respondent No.4 was junior, thus, there was no occasion to promote him prior in time.

5. *Per contra*, learned State counsel submits that petitioner has to make out his case for promotion. He is not claiming promotion as per seniority whereas claiming out of turn promotion on the sole ground that respondent No.4 has been granted out of turn promotion. As per Rule 13.21 of Punjab Police Rules, 1934 (for short 'PPR'), DGP is competent to grant out of turn promotion. The petitioner cannot claim promotion merely on the ground that respondent No.4 has been granted out of turn promotion. If petitioner's claim is accepted, every officer would start making claim of out of turn promotion.

6. Learned counsel representing respondent No.4 submits that

respondent framed policy in 2012 with respect to out of turn promotion. The petitioner was granted promotion prior to 2012 policy. It is true that case of petitioner was recommended prior to 2012 policy, however, DGP did not extend him benefit prior to said policy.

7. I have heard learned counsel for the parties and perused the record with their able assistance.

8. From the perusal of record, it is evident that petitioner is claiming out of turn promotion on the ground that respondent No.4 who was junior to him has been granted out of turn promotion. Rule 13.21 of PPR empowers DGP to relax any provision relating to promotion. As per said Rule, DGP can promote any officer out of turn. The said Rule reads as:

“13.21 Power of Relaxation:- Where the Inspector-General of Police is of the opinion that it is necessary or expedient so to do, he may by order for reasons to be recorded in writing relax any of the provision of this Chapter with respect of any class or category.”

9. A conspectus of aforesaid Rule reveals that it is discretion of DGP to grant out of turn promotion to any police officer/official. The discretion cannot be exercised in an arbitrary or unreasonable manner. It is a settled proposition of law that every discretionary power should be exercised in a reasonable and equitable manner.

10. The petitioner is not objecting out of turn promotion of respondent No.4, however, claiming that DGP should exercise power under Rule 13.21 of PPR in his favour and make him at par with respondent No.4. The respondent No.4 was given out of turn promotion. He was not a deserving candidate. The power was not exercised as per

mandate and respondent No.4 was mechanically promoted.

11. The petitioner cannot claim out of turn promotion as absolute, vested or fundamental right. He cannot further claim out of turn promotion on the ground that his junior has been granted out of turn promotion. Case of each officer is independently examined. This Court cannot ask or compel DGP to grant out of turn promotion to any officer. The petitioner has not pointed out any policy which creates right in his favour. As per policy of 2012, he is not eligible. Thus, this Court cannot issue mandamus to DGP to promote petitioner out of turn.

12. Before parting with the judgment, this Court finds it appropriate to observe that respondent has granted out of turn promotion to various officers which is creating heart burning. The respondent should exercise power under Rule 13.21 of PPR in true spirit and considering the law laid down by this Court in multiple judgments. The power should not be exercised mechanically and specific reasons should be recorded prior to extending benefit to any officer. In the case of respondent No.4, no reason has been recorded. The petitioner has not assailed said order, thus, there is no occasion to set aside said order particularly after 14 years.

13. In the wake of above discussion and findings, the instant petitions deserve to be dismissed and are accordingly dismissed.

14. Pending application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

29.09.2025
Prince Chawla

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No