



CWP-23741-2025

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

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CWP-23741-2025

Date of Decision: 06.11.2025

Jarnail Singh and others

...Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: - Mr. K.G. Chaudhary, Advocate and
Mr. Sushane Puri, Advocate for the petitioners
Mr. Aman Dhir, Deputy Advocate General, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking direction to the respondents to promote them to the post of Head Constables from the date their juniors were promoted with all consequential benefits.

2. On 19.08.2025, this Court passed the following order: -

“1. Learned counsel for the petitioners inter alia contends that petitioners joined service in 1996 as Constable Drivers. In the seniority list dated 01.04.2020, they were seniors to many persons who had joined service during 2000-2001. In the seniority list dated 01.11.2021, they were shown junior to many other employees. They preferred CWP No.27795 of 2022 before this Court which was disposed of vide order dated 05.12.2022 with a direction to respondent to decide legal notice within two months. The respondent vide communication dated 24.01.2023 corrected seniority list. Despite the said fact, many juniors were deputed for Lower



School Course prior to the petitioners. They were further promoted as Head Constables vide order dated 24.11.2023. The petitioners were deputed for Lower School Course which commenced on 14.03.2024. They completed the said course on 14.09.2024. On repeated requests of the petitioners, the respondent promoted them w.e.f. 25.03.2025. They are senior to 154 other Constables, thus, they should be promoted as Head Constables prior to promotion of juniors.

2. *Mr. Aman Dhir, Deputy Advocate General, Punjab, who on advance notice is present in Court, accepts notice on behalf of the respondent-State and submits that in the writ petition the petitioners have not pointed out any person who is junior to them and has been promoted prior to them.*

3. *The respondent-State is directed to file affidavit clarifying its position.*

4. *Adjourned to 01.09.2025.”*

3. Learned State counsel submits that a Constable is promoted to the rank of Head Constable after passing Lower School Course. Without undergoing Lower School Course, no Constable except exemptee can be promoted. The Constables, pointed out by the petitioners, completed Lower School Course prior to the petitioners, thus, they were promoted as Head Constables prior to petitioners. At the time of deputing alleged juniors of petitioners, they were seniors as per seniority list. On the directions of this Court, seniority list was revised and the petitioners became seniors, however, by that time, alleged juniors had already undergone Lower School Course. The petitioners have completed Lower School Course and have been promoted as Head Constables.

4. Learned counsel for the petitioners submits that petitioners are at the fag end of their career. Their remaining service is less than 5 years.

The grievance of the petitioners would be redressed if they are promoted as Head Constables from the date their juniors were promoted. They may further be granted service benefits on notional basis.

5. From the perusal of record and arguments of both sides, it is evident that petitioners were seniors to their many colleagues. On account of incorrect seniority list, they were not deputed for Lower School Course and their juniors came to be deputed. On the directions of this Court, seniority list was corrected and petitioners were shown seniors to their colleagues. They were entitled to higher rank prior to their juniors. They were not deputed for Lower School Course on account of incorrect seniority list. They do not want to disturb promotion of their juniors and are only claiming promotion from the date their juniors were promoted. They are also not claiming arrears, however, claiming service benefits on notional basis. Their prayer seems to be just and reasonable. It deserves to be accepted and accordingly accepted. The respondents are hereby directed to promote the petitioners as Head Constables from the date their juniors were promoted.

6. Disposed of in above terms.

(JAGMOHAN BANSAL)
JUDGE

06.11.2025
Mohit Kumar

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