



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

CWP-37767-2018

Date of Decision: 22.07.2025

Bhag Singh

...Petitioner

Vs.

State of Haryana and Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Aditya Yadav, Advocate
for the petitioner.

Mr. Shashank Bhandari, 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 promote him to the post of Inspector.

2. The petitioner retired on 31.12.2018 on attaining the age of superannuation. He during his service career could not pass even Lower School Course, thus, he was not eligible to substantive rank of Head Constable, nevertheless, he was granted rank of Head Constable, EASI, ASI and thereafter SI in different organizations like CID and Vigilance. He is claiming honorary rank of Inspector. It is undisputed that petitioner did not pass even Lower School Course, thus, he was not entitled to substantive rank of Head Constable. He has retired as SI. He is claiming parity with his colleague namely Jai Bhagwan.

3. On being asked, Mr. Aditya Yadav, Advocate could not point out any rule which permits promotion to the rank of Inspector to a person

who has not even passed Lower School Course. There cannot be equality in the absence of Rules. A right without Rules created in favour of one person does not create right in favour of another person. It would amount to negative equality. He is further relying upon letter dated 03.05.2021. The said letter was issued in 2021 whereas petitioner retired in 2018, thus, he cannot claim benefit of said letter.

4. Accordingly, the instant petition is hereby dismissed.

(JAGMOHAN BANSAL)
JUDGE

22.07.2025
Prince Chawla

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