

**CWP-32965-2024****-1-**

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

119**CWP-32965-2024****Date of Decision: 21.04.2025****Surjit Singh****...Petitioner**

Versus

State of Punjab and others**...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

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

Mr. Aman Dhir, Deputy Advocate General, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of order dated 23.11.2022 (Annexure P-3) whereby he has been denied promotion to the post of Deputy Superintendent of Police ('DSP'). He is further seeking interest on delayed payment of retiral dues.

2. The petitioner, as per revised List 'F', was holding rank of Inspector on 30.06.2005. As per Punjab Police Rules, 1934, an Inspector is required to complete six years of service to get promotion to the post of DSP. The petitioner retired on 31.03.2011 i.e. before completing six years as Inspector. As petitioner did not complete six years of service as Inspector before the date of his retirement, he is not entitled to rank of DSP.

3. Mr. Neeraj Yadav, Advocate submits that petitioner may not be entitled to rank of DSP, however, his second prayer i.e. interest on delayed payment of retiral dues survives.

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4. Mr. Aman Dhir, Deputy Advocate General, Punjab submits that retiral dues to the extent of ₹ 2,21,079/- were withheld on account of pending criminal case. The petitioner was acquitted on 08.07.2019 and the aforesaid amount was paid on 01.11.2023. There was no lapse on the part of respondent.

5. The petitioner retired on 31.03.2011. The stand of respondent may be justified till the date of judgment of Trial Court, however, after his acquittal, the respondent was bound to clear his retiral dues. The petitioner may not be entitled to interest from the date of his retirement, however, he is entitled to interest @ 6% per annum on delayed retiral benefits amounting to ₹2,21,079/- from the date of judgment of acquittal i.e. 08.07.2019 to date of payment i.e. 01.11.2023.

6. Disposed of in above terms. Let the needful be done within three months from today.

(JAGMOHAN BANSAL)
JUDGE

21.04.2025*Mohit Kumar*

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