



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

219

CWP-4898-2019

Date of Decision : **May 05, 2026**

PAWAN KUMAR

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA

Present : Mr. Arjun Sawhni, Advocate for
Mr. Manu K. Bhandari, Advocate
for the petitioner.

Mr. Rohit Ahuja, DAG, Punjab.

DEEPINDER SINGH NALWA, J. (Oral)

1. In the present writ petition, the petitioner has challenged the order dated 22.06.2018 (Annexure P-11) passed by respondent No.2 vide which the claim of the petitioner for promotion on the post of Constable in the Punjab Police Dog Squads has been rejected.

2. Brief facts of the case are that the petitioner was appointed as Kennel Man vide order dated 19.01.1996 w.e.f. 01.01.1996 (Annexure P-2). During the tenure of the petitioner, the petitioner had undergone the course of Dog Handler and duly passed the same in the year 2003 (Annexure P-3). A Standing Order dated 21.01.2002 (Annexure P-4) was issued by respondent No.2 for promotion to the post of Constable in the Punjab Police Dog Squads vide which a Kennel Man was eligible for promotion. As per the petitioner, in pursuant to the Standing Order, he was eligible for promotion on the post

of Constable, the petitioner submitted a representation on 11.03.2002 (Annexure P-5) wherein, a request was made by the petitioner for considering his case for promotion on the post of Constable in Punjab Police Dog Squads in terms of the abovesaid Standing Order. As per the petitioner, no decision was taken on the representation. As such, the petitioner again made a representation in the year 2013 (Annexure P-6) again claiming promotion on the post of Constable in Punjab Police Dog Squads. No decision was also taken on the abovesaid representation, the petitioner again submitted a demand notice wherein, again a request was made for consideration of his case for promotion on the post of Constable in Punjab Police Dog Squads in terms of the Standing Order dated 21.01.2002 (Annexure P-4). As no decision was taken by the respondents on the representations submitted by the petitioner and also demand notice, the petitioner filed a writ petition before this Court being CWP No.27268 of 2017. The abovesaid writ petition was disposed of on 06.03.2018 (Annexure P-10) with the direction to the respondents to decide the demand notice served by the petitioner within a period of six weeks. In terms of the abovesaid order passed by this Court, the respondents have passed the order dated 22.06.2018 (Annexure P-11) whereby the claim of the petitioner for consideration of his case for promotion on the post of Constable in Punjab Police Dog Squads has been rejected. Aggrieved against the abovesaid order dated 22.06.2018 (Annexure P-11), the petitioner has filed the present writ petition challenging the same.

3. The only contention raised by the learned counsel appearing on behalf of the petitioner is that as the petitioner had submitted representation in the year 2002 and was eligible for promotion in terms of Standing Order

dated 21.01.2022 (Annexure P-4), as such the case of the petitioner should be considered for promotion on the post of Constable in Punjab Police Dog Squads.

4. The learned State counsel submits that the case of the petitioner was duly considered in pursuance of the application submitted in the year 2006 and the same was rejected on 17.06.2006 and the same was conveyed to the petitioner on 21.06.2006. He submits that once the case of the petitioner was rejected in the year 2006 and as the petitioner has not challenged the order of rejection, as such, no relief can be granted to the petitioner. It is also the case of the learned State counsel that as per the Standing Order dated 21.01.2022 (Annexure P-4), the petitioner was not eligible. Lastly, the learned State counsel submits that the Standing Order which has been relied upon by the petitioner is just a draft Standing Order and was never approved by the State Government in light of Rule 12 of the Punjab Police Act, 1861, as such, the petitioner is not entitled for grant of any relief.

5. After hearing the learned counsel for the parties at length, the only issue involve in the present writ petition is as to whether the petitioner is entitled to be considered for promotion on the basis of the representation submitted by the petitioner in the year 2002 in terms of the Standing Order dated 21.01.2002 (Annexure P-4).

6. A perusal of the facts of the present case would show that it is a specific case of the State that the Standing Order dated 21.01.2002 (Annexure P-4) as relied by the petitioner, was never approved by the State Government, as such, the same cannot be taken into consideration for the purpose of promotion. It is not brought to the notice of this Court that any Kennel Man

was promoted on the basis of the said order. In regard to the representation submitted by the petitioner in the year 2002 is concerned, even if for the sake of argument, it is presumed that the Standing Order was applicable in the case of the petitioner even then, the petitioner cannot take any benefit on the basis of the representation. Mere occurrence of vacancy does not give any right to an employee to claim promotion. The case of the petitioner was duly considered in the year 2006 and the same was rejected on 17.06.2006, which was duly conveyed to the petitioner on 21.06.2006. Taking into consideration the fact that the Standing Order is just a draft Standing Order, which was never approved by the State Government in light of Rule 12 of the Punjab Police Act, 1861 and the petitioner has not challenged the order of rejection issued to him in the year 2006, no relief can be granted to the petitioner.

7. In view of the above, this Court finds no merit in the present writ petition and the same is, hereby, dismissed.

(DEEPINDER SINGH NALWA)
JUDGE

May 05, 2026
ajaysharma

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No