



CWP-16842-2012

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

CWP-16842-2012

Date of Decision: 12.02.2026

SURESH KUMAR

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL.

Present:- Mr. K.S. Sidhu, Advocate for petitioner

Mr. Aman Dhir, D.A.G., 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 23.12.2011 whereby respondent has rejected his representation seeking promotion to the rank of Assistant Sub Inspector.

2. The petitioner joined Punjab Police Force on 20.05.1992. He was awarded 49 Commendation Certificates and his name was brought on List C-II under Rule 13.8 of Punjab Police Rules, 1934 (for short 'PPR') as 'Exemptee' on 12.03.2001. He was selected for Lower School Course. He successfully completed Lower School Course and his name was brought on List C-I. He was confirmed as Head Constable vide order dated 28.06.2010. He was awarded Commendation Certificate on the eve of Independence Day i.e. 15.08.2012. He submitted representation seeking promotion to the rank of Assistant Sub Inspector. The respondent No.3 recommended his case for out of turn promotion as Assistant Sub Inspector. Deputy Inspector General of Police on



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17.11.2011 recommended his name to Director General of Police for promotion as Assistant Sub Inspector. The respondent-Director General of Police by impugned order rejected his representation.

3. The petitioner claims that on account of his extraordinary performance, he was brought on List C-II. There are many juniors who have been granted promotion without completing Lower School Course. There are few Head Constables who have been granted out of turn promotion as Assistant Sub Inspector. These promotions have been made in exercise of power conferred by Rule 13.21 of PPR.

4. Learned State counsel submits that petitioner has failed to point out particular junior who has been promoted out of turn, nevertheless, Director General of Police time to time in exercise of power conferred by Rule 13.21 of PPR has considered claim of different employees. Benefit of out of turn promotion has been extended on the basis of outstanding performance.

5. From the perusal of Rule 13.21, it is evident that Director General of Police has discretion to grant out of turn promotion to any class or category of officials. The said power is not unbridled or unguided. The officer is bound to apply his mind. The power cannot be exercised mechanically. He is bound to record reasons while relaxing any provision of Chapter 13. It is apt to notice that Chapter 13 deals with promotion of officers. In the case in hand, the petitioner has been extended benefit of List C-II, however, he has not been granted promotion as Assistant Sub Inspector exercising power under Rule 13.21 of PPR. The respondent has denied claim of petitioner on the ground that he had performed routine FIR work.



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6. This Court in exercise of power under Article 226 of the Constitution of India cannot interfere with decision of respondent unless and until there is misuse of power or abuse of power or denial to exercise power without reason. The Court can ask respondent to consider case of petitioner, however, cannot compel the authorities to extend him benefit of out of turn promotion. Out of turn promotion is not an absolute or vested right of the petitioner.

7. The petitioner has not pointed out any particular case where respondent has wrongly or arbitrarily granted out to turn promotion under Rule 13.21 of PPR. In the absence of challenge to illegal or irregular promotion, this Court cannot comment upon promotion of any employee either made under Rule 13.21 of PPR or otherwise.

8. In the wake of above discussion and findings, this Court is of the considered opinion that petition deserves to be dismissed and accordingly dismissed.

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

(JAGMOHAN BANSAL)
JUDGE

12.02.2026
SDK

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