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

**CWP-20717-2019 (O&M)
Date of Decision: 11.02.2026**

Jasbir Singh

...Petitioner

Versus

State of Punjab and Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSALPresent:- Mr. G.S. Randhawa, Advocate
for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

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 grant him promotion/benefits as he was on duty at the time of terrorist attack dated 27.07.2015 on Police Station Dinanagar, District Gurdaspur.
2. The petitioner belongs to Punjab Police Force. On 27.07.2015 at about 05:15 AM, terrorists from Pakistan came to Dinanagar, District Gurdaspur in Army Uniform. They snatched a Maruti car and attacked Police Station, Dinanagar. The petitioner along with other Policemen reached at Police Station and bravely faced terrorists.
3. Learned counsel representing the petitioner submits that respondent has honoured many Police Officials who participated in aforesaid encounter. There are few Officials who were not even present at the place of incident still were granted benefit of promotion. The petitioner and few others have been isolated.

4. Learned State counsel submits that Council of Ministers in its meeting held on 12.08.2015 approved proposal of Additional Chief Secretary, Department of Home whereby employees who had participated in terrorists attack were ordered to be granted additional benefits. It was decided that employees injured during this incident would be promoted and they will get their entire treatment free of cost. The respondent has rejected claim of petitioner on the ground that he was Reader to Deputy Superintendent of Police (**DSP**). He was not allotted any weapon. He did not suffer any injury, thus, was not entitled to benefit of decision taken by Council of Ministers.

5. I have heard learned counsel for the parties and perused the record with their able assistance.

6. From the perusal of record, it is evident that petitioner was not injured and was holding post of Reader to DSP. He was not adorned with any award. The Additional Chief Secretary, Department of Home prepared a proposal with respect to recognition of ones who participated in the cross-border attack on 27.07.2015. The matter was considered by Council of Ministers in its meeting held on 03.08.2015 wherein following decision was taken:

"2. A discussion was held in the meeting of the council of ministers held on 3.8.2015 with regard to the issues mentioned in the above mentioned subject and decided as under:-

"After considering the memorandum dated 31 July, 2015 of the department of Home Affairs and Justice, the proposals made in para 2 of the same has been approved as under:-

1. The employees who got martyrdom during the occurrence, the salary got by them till the date of their

superannuation would be paid to the members of the family of martyrs.

2. The employees injured during this incident would be promoted and they will get their entire treatment free of cost.

3. An amount of Rs. 1 crore has been approved for the repair of the police Station Dina Nagar.

4. An amount of Rs.5 lacs has been approved for the family members of the civilian who got martyrdom during this occurrence.

5. An amount of Rs.3.00 lacs has been approved for the civilians who got injured during this occurrence and they will get the treatment in Govt. of Private hospitals free of cost.

6. An amount of Rs.3 lacs and state award has been approved for the driver and a recommendation would be made to the Govt. of India for awarding him with a bravery award and it has also been decided that the driver and conductor of this bus would be given a regular appointment in the same department.

7. The injured homeguard volunteers would be recruited in the police.

8. The next of kin of the martyrs of home guard volunteers would be recruited in the Punjab Police.

9. The person, who has informed to the railway guard regarding the bombs planted on the railway line, Rs. 2 lac each for him and the railway guard has been approved and the timely action taken by them was appreciated.

3. The action taken by the Administrative Department for implementation of the above mentioned decisions of the council of ministers, may be informed to this branch within a period of two weeks.”

7. From the perusal of above quoted decision of Council of Ministers, it is evident that it was unanimously decided that injured employees would be promoted. The respondent has granted benefit of

promotion to many employees. It means the respondent has implemented aforecited decision. The respondent either in reply or orally is not disputing the fact that decision was taken by Council of Ministers and it was implemented *qua* other employees.

8. The petitioner was holding post of Reader to DSP. He was not injured in the incident. He was not honoured with Police or any other award. As per aforesaid decision of Council of Ministers, benefit of promotion or cash award is available to officials who suffered injury or died. The petitioner did not suffer injury. He was not even allocated any weapon because he was holding post of Reader to DSP. The petitioner cannot claim benefit merely on the ground that respondent misusing its power has wrongly granted benefit to one or another person. There cannot be negative equality. This Court cannot order to perpetuate illegality.

9. In the wake of aforesaid discussion and findings, the petition deserves to be dismissed and accordingly ***dismissed***.

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

(JAGMOHAN BANSAL)
JUDGE

11.02.2026
Prince Chawla

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