



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

203

CWP-22571-2019

Date of Decision: 09.01.2026

TEJBIR SINGH

...Petitioner

Vs.

STATE OF HARYANA AND ORS.

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Dhirinder Chopra, Advocate for the petitioner

Mr. Ravi Partap Singh, DAG Haryana

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of adverse remarks recorded in his ACR and grant him further promotion.

2. The petitioner was recruited as Constable on 31.07.1985. He was promoted as Head Constable on 10.09.1996 and ASI in March' 2003. While posted in CIA staff with Inspector Bharat Singh in 2002, he was found involved in demanding bribe. In the preliminary inquiry, he was found innocent, however, another inquiry was conducted on the direction of IGP. Inquiry Officer did not find him guilty, however, SP vide order dated 20.08.2003 imposed punishment of stoppage of two increments without cumulative effect. He preferred an appeal and IGP vide order dated 15.07.2004 reduced the punishment to forfeiture of one increment. He unsuccessfully filed mercy petition. The respondent vide order dated 13.09.2012 reverted him from the post of Head Constable to Constable. He preferred *CWP-23833-2012* before this Court. The said petition was

allowed and order of reversion was set aside. He was promoted as Officiating ASI on 18.05.2015. He filed representation seeking *ante* dated promotion. His representation was rejected vide order dated 30.09.2016. He preferred *CWP-5919-2017* before this Court which was dismissed vide order dated 04.07.2017. He claimed before this Court that co-accused Bharat Singh has been promoted from the due date whereas he has been promoted subsequent to due date.

3. Learned State counsel submits that in view of order dated 04.07.2017 passed by this Court, instant petition is not maintainable. The petitioner has retired as Sub Inspector on 31.12.2023.

4. This is second round of litigation. For the same grievance, the petitioner has filed second petition. Order dated 04.07.2017 passed by this Court reads as:-

“Learned counsel for the petitioner submits that in the same incident, pursuant to which an enquiry was ordered to be conducted and reversion was made, one Inspector Bharat Singh was also found guilty. That person was eventually even promoted to the rank of Deputy Superintendent of Police, even though there were similar remarks in his ACR, of his integrity being doubtful.

Though the petitioners' grievance qua Bharat Singh may be genuine, however, in view of the fact that if the authorities concerned acted against the rules/norms in promoting a person who did not deserve such promotion, that would not entitle the petitioner to get a similar benefit, even in view of the judgments in Chandigarh Administration and another vs. Jagjit Singh and another, AIR 1995 SC 705 and Union of India and others vs. M.K.Sarkar, 2010 (2) SCC 59.

No doubt, had the petitioner come at the correct time against the allegedly wrong promotion given to

Bharat Singh, an explanation of the authorities concerned as to why Bharat Singh had been given such promotion contrary to the rules/norms, could have been called for, but 9 years later, that action now cannot be challenged, especially as the said person is stated to have retired from service also about 9 years ago.

Learned counsel also draws attention of the Court to the judgment passed in an earlier petition filed by the petitioner; bearing CWP No.23833 of 2012 decided on 26.9.2014 (Annexure P-12), in which enhancement of the punishment of stoppage of one increment without cumulative effect, to that of reversion from the post of Head Constable to Constable, was set aside by this Court in view of the fact that the action taken by the DGP to enhance the punishment of the petitioner was taken after 8 years.

However, by the said judgment, the remarks in the petitioners' ACR, reflecting his doubtful integrity, were never quashed/ordered to be expunged.

Keeping in view the aforesaid facts, as have also been detailed in the impugned orders of the Inspector General of Police, South Range, Rewari, dated 18.5.2015 and 30.9.2016, I find no merit in this petition, which is consequently dismissed in limine."

- 5. In the wake of aforesaid order and considering the fact that petitioner has already retired, no interference is warranted.
- 6. Dismissed.
- 7. Pending application(s), if any, stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

January 09, 2026
Deepak DPA

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