

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

**CWP No. 33719-2025(O&M)  
Date of Decision:17.02.2026**

**Manjeet Singh and another**

**....Petitioners**

**VS.**

**State of Haryana and others**

**....Respondents**

**CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

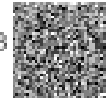
Present: Mr. Surinder Kumar Daaria, Advocate  
for the petitioners

Mr. Ravi Partap Singh, D.A.G, Haryana assisted by  
Mr. Himanshu Garg, IPS, AIG (Administration),  
O/o DGP/PHQ,

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**JAGMOHAN BANSAL, J. (ORAL)**

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking setting aside of order dated 04.08.2025 whereby their claim for seniority has been rejected.
2. Petitioner No.1 joined Haryana Police Force on 18.07.2003 and petitioner No.2 joined on 14.07.2003. Ram Niwas and Faiz Mohammad joined respondent-Department on 06.12.2004. The petitioners were eligible for participating in promotional course in 2011 but they were ignored. In 2017, the petitioners were declared 'fail' in the exam for promotion to the rank of Head Constable. The promotional exam was again conducted in 2019 and petitioners cleared the exam, however, they were not given promotion as per seniority list as well as Punjab Police Rules, 1934 (as applicable to State of Haryana) (for short 'PPR'). Respondent No.5 in its

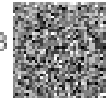


report dated 16.12.2020 has concluded that promotional test in Haryana Police Band is conducted on the basis of seniority. Seniority of petitioners needs to be refixed.

3. The petitioners preferred CWP No.11635 of 2025 seeking direction to respondents to revise seniority list as per recommendations dated 16.12.2020. The said petition, in the light of statement of State counsel that an appropriate order would be passed within three months, was disposed of vide order dated 06.05.2025. The respondent has rejected petitioners' claim on the ground that they did not clear music test, thus, their juniors were promoted prior to them.

4. Learned counsel for the petitioners submits that as per conclusion drawn by Assistant Commissioner of Police, Bhondsi, the promotion to Constables Faiz Mohammad and Ram Niwas was wrongly extended. The complaint of Head Constable Dharmender and Manjeet Singh is correct. A number of statements were recorded by Assistant Commissioner of Police prior to submitting his report. As per statements, Suresh Chand (Music expert) prepared paper and shared with selected candidates which was malpractice on the part of recruitment agency as well as selected candidates. The respondent further did not follow practice of calling candidates equal to number of seats.

5. Learned State counsel who is assisted by Mr. Himanshu Garg, submits that report of Assistant Commissioner of Police, Bhondsi was never accepted by higher authorities. He had recorded statements of aggrieved Constables. There was no concrete material disclosing that paper was shared with selected candidates.



On being asked, Mr. Himanshu Garg submitted that appropriate action would be taken against Assistant Commissioner of Police, RTC, Bhondsi who blindly relied upon statements of unsuccessful candidates and created doubt regarding authenticity of paper conducted by Recruitment Board. There was no infirmity in the selection process. The report of Assistant Commissioner of Police was duly considered by higher authorities and found incorrect.

6. Heard the arguments and perused the record.

7. From the perusal of record, it is evident that petitioners and private respondents participated in promotional test held in 2017. There were six vacancies and 31 Constables were permitted to participate in the test which was held on 31.01.2017. The petitioners could not succeed. They flunked and private respondents succeeded. For promotion, it was inevitable for the Constables to clear promotional test. The petitioners again participated in 2019 and succeeded. As private respondents cleared test in 2017, thus, they were treated senior to petitioners. The petitioners after succeeding in 2019 started disputing authenticity of examination conducted in 2017. The respondent referred the matter to Assistant Commissioner of Police who recorded statements of various persons and on the basis of their statements concluded that private respondents were wrongly promoted. The petitioners have not pointed out any rule which provides that candidates equal to available posts should be permitted to participate in the competitive/promotional test. In any case, it does not seem to be appealable. No system can provide that candidates equal to available vacancies/posts should be permitted to participate in competitive/promotional test. The



essence of competitive/promotional test would be lost if this practice is permitted. It is apt to notice that even for interview candidates are not called equal to number of available posts whereas 2-3 times of posts are called for interview.

8. In the wake of above discussion and findings, the petition deserves to be dismissed and accordingly dismissed.

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

(JAGMOHAN BANSAL)  
JUDGE

17.02.2026  
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|----------------------------|-----|--|
| Whether speaking/reasoned: | Yes |  |
| Whether reportable:        | Yes |  |