



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

CWP-8962-2021

Date of Decision: 28.07.2025

Lakhbir Singh

...Petitioner

Vs.

State of Punjab and Others

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Bal Krishan Mehta, Advocate and
Mr. Sidharth Maini, 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 promote him as Deputy Superintendent of Police from the date Raj Kumar-respondent No.4 was promoted.

2. The petitioner joined Punjab Police Force (for short 'PPF') as Constable on 14.08.1981. He was made part of Punjab Armed Police (for short 'PAP'). His name was recorded in C-1 List on 01.10.1990 in his parent cadre i.e. PAP. He was promoted as Head Constable on 01.10.1990, as ASI on 20.07.2009 and Sub Inspector on 28.01.2015. All these promotions were made in his parent department. He was deputed to Intelligence Wing prior to 2008. This Court in '***Pardeep Singh and Others Vs. State of Punjab and Others***' (CWP No.4829 of 2011, decided on 16.12.2017) directed the respondent to prepare Joint Seniority List of District Police Cadre and Armed Police Cadre. The respondent in

compliance of directions of this Court prepared a Joint Seniority List. In the revised/Joint Seniority List, the petitioner was promoted as ASI w.e.f. 01.03.2008 and as Sub Inspector w.e.f. 01.10.2008. He was granted revised date of promotion List 'E' w.e.f. 01.10.2008. His name in promotion List 'F' was recorded w.e.f. 01.08.2016. The petitioner was temporarily absorbed in Intelligence Wing on 10.08.2015 and finally on 14.08.2017. There was another Officer in the Intelligence Wing namely Raj Kumar. He was promoted as DSP w.e.f. 06.10.2020 whereas petitioner retired as Inspector.

3. Mr. Bal Krishan Mehta, Advocate submits that petitioner was senior to Raj Kumar-respondent No.4 still Raj Kumar was promoted as DSP in October' 2020 whereas petitioner retired as Inspector on 31.03.2021. Despite being senior, he was not promoted as DSP. The action of respondent was arbitrary and unreasonable.

4. *Per contra*, Mr. Aman Dhir, DAG, Punjab submits that it is factually correct that petitioner joined as Constable on 14.08.1981 whereas Raj Kumar joined on 27.06.1985. The petitioner was promoted as Head Constable on 01.10.1990 whereas Raj Kumar was promoted on 06.06.1994. Raj Kumar was part of Telecommunication Wing which was a separate cadre. He came to be promoted as ASI in his parent cadre w.e.f. 10.12.1997 whereas petitioner was promoted as ASI in his parent cadre on 20.07.2009. Raj Kumar was promoted as SI on 02.07.2011 whereas petitioner was promoted as SI on 28.01.2015. In the wake of orders of this Court in *Pardeep Kumar (supra)*, a merger took place of PAP and District Cadre and there was no merger of Telecommunication Wing,

thus, seniority of members of Telecommunication Wing Cadre remained disturbed. The petitioner cannot claim parity with Raj Kumar.

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

6. In the reply, the respondent has prepared status of petitioner and Raj Kumar in a tabulated form. The said table is reproduced as below:

Sr. No.		Retired Inspector Lakhbir Singh No.848/INT, 1856/PAP (Petitioner)	Sh. Raj Kumar DSP No.825/INT, 1024/W, (Respondent No.4)
1.	Date of appointment as Constable	14.08.1981	27.06.1985
2.	Category	G.C.	S.C.
3.	Date of List C-1	01.10.1990 (in PAP Cadre)	06.06.1994 (In Telecommunication Wing)
4.	Date of promotion in Parent Department as I. HC II. ASI III. SI	01.10.1990 20.07.2009 28.01.2015	06.06.1994 10.12.1997 02.07.2011
5.	Revised Date of promotion in Intelligence Wing as I. HC II. ASI III. SI	01.10.1990 01.03.2008 01.10.2008	06.06.1994 10.12.1997 01.03.2008
6.	Revised date of promotion list 'E'	01.10.2008	01.03.2008
7.	Revised date of promotion list 'F'	01.08.2016	01.06.2013

7. From the above table, it is evident that petitioner joined service much prior to Raj Kumar, however, Raj Kumar was promoted as ASI w.e.f. 10.12.1997 whereas petitioner was promoted w.e.f. 20.07.2009. Their promotion was made in parent cadre. It appears that promotion in Telecommunication Wing was faster than other cadres. For the said reason, Raj Kumar became ASI within three years from the date of his appointment as Head Constable whereas petitioner became ASI in 19 years from the date of his appointment as Head Constable. The Joint Seniority List was prepared of members of District Cadre and PAP. The members of Telecommunication Wing were not made part of Joint Seniority List. On account of this reason, rank of members of Telecommunication Wing remained intact. In the revised seniority list also, the petitioner remained junior to respondent No.4 as SI and Inspector.

8. The petitioner and respondent No.4 were absorbed in Intelligence Wing. In the absorption list, the petitioner was at Serial No.57 whereas Raj Kumar was at Serial No.35. As respondent No.4 was holding rank of Sub Inspector as well as Inspector prior to designation of petitioner as Sub Inspector and Inspector, thus, there were all reasons for respondent to promote respondent No.4 as DSP prior to petitioner. The claim of petitioner is not sustainable.

9. Accordingly, the instant petition is hereby dismissed.

(JAGMOHAN BANSAL)
JUDGE

28.07.2025

Prince Chawla

Whether Speaking/reasoned
Whether Reportable

Yes/No
Yes/No