

**CWP-12342-2001 (O&M)****-1-****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****201****CWP-12342-2001 (O&M)****Date of Decision: 28.07.2025****Daya Nand****...Petitioner****Versus****State of Haryana and others****...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - None for the petitioner

Mr. Suneel Ranga, Deputy Advocate General, 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 order dated 17.10.2000 (Annexure P-1) whereby he was reverted from the post of Sub-Inspector to Head Constable and his pension was fixed as per rank of Head Constable.

2. The petitioner joined Haryana Police Force as Constable on 07.04.1980. He was deputed to Crime Investigation Department ('CID') on 24.10.1982. He came to be promoted to the ranks of Head Constable, Assistant Sub-Inspector and Sub-Inspector while posted with CID. He was granted substantive rank of Head Constable by parent department. There was no promotion on the post of Assistant Sub-Inspector and Sub-Inspector by parent department. He sought voluntary retirement on coming to know that



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his parent department is going to post him as Head Constable. His application was accepted and pension commenced w.e.f. 11.01.2001.

3. Learned State counsel submits that as per his instructions, the petitioner was entitled to pension as per his substantive rank held in the parent department. Pension cannot be determined on the basis of post held on deputation. In CID, he was a deputationist. His pension could not be fixed as per rank held in CID.

4. On 02.08.2024, there was no representation of the petitioner and in the interest of justice, the matter was adjourned. Even today, there is no change in the situation. The matter is pending before this Court since 2001 and it cannot be kept pending for indefinite period. It appears that with the efflux of time, the petitioner has lost his interest to pursue the present petition.

5. In the backdrop, the petition stands dismissed with liberty to the petitioner to move an appropriate application within three months, if cause survives.

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

(JAGMOHAN BANSAL)
JUDGE

28.07.2025

Mohit Kumar

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