

**(2001) 02 P&H CK 0136**

**High Court Of Punjab And Haryana At Chandigarh**

**Case No:** Regular Second Appeal No. 4641 of 1999

State of Punjab

APPELLANT

Vs

Hari Singh ASI Punjab Police

RESPONDENT

**Date of Decision:** Feb. 12, 2001

**Acts Referred:**

- Constitution of India, 1950 - Article 311
- Punjab Courts Act, 1918 - Section 41

**Hon'ble Judges:** V.K. Jhanji, J

**Bench:** Single Bench

**Advocate:** Mr. S.K. Bhanot, Dy. AG, for the Appellant; Mr. S.C. Chhabra, for the Respondent

**Final Decision:** Dismissed

**Judgement**

This Judgment has been overruled by : [State of Punjab and Another Vs. Hari Singh, \(2008\) 117 FLR 195 : \(2008\) 3 JT 415 : \(2008\) 3 SCALE 170 : \(2008\) 11 SCC 85 : \(2008\) 2 SCC\(L&S\) 1107](#)

V.K. Jhanji, J.

Both the Courts below have found that the plaintiff was promoted as A.S.I. vide order passed by the Deputy Inspector General of Police. In the case of the plaintiff, order of punishment has been passed by the Senior Superintendent of Police. He being an Authority subordinate to the Appointing Authority, the Courts below have not committed any illegality in decreeing the suit of the plaintiff.

2. Consequently, no case for interference in second appeal is made out. Dismissed.

3. However, appellants are at liberty to proceed against the plaintiff in accordance with law.

4. Appeal dismissed.