

Richa Sharma Vs. State of H.P. & Anr.

CWP No.16235 of 2026

17.09.2026 Present: Mr. Sanjeev Bhushan, Senior Advocate with Mr. Sohail Khan, Advocate, for the petitioner.
Mr. Rajat Choudhry, Assistant Advocate General, for the respondents.

CWP No.16235 of 2026 & CMP No.24147 of 2026

Notice. Mr. Rajat Choudhry, learned Assistant Advocate General, appears and waives service of notice on behalf of the respondents.

2. The case set up by the petitioner is that she joined the respondent-Police Department as Constable on 01.07.2008. On account of her outstanding performance, the petitioner was promoted under 10% quota available under the Rules to the post of Head Constable on 21.10.2016. She was thereafter required to be sent for undergoing Lower School Course. The petitioner, however, was not sent for undertaking such course, presumably for the reason that no such course was conducted by the respondents after her promotion till the year 2018. In the interregnum, such of the Constables, who had passed B-1 test and were undergoing lower school course during the year 2016 (such course was conducted in the year 2016), were promoted as Head constables on 28.10.2016. Petitioner was sent for undergoing the Lower School Course in the year 2018 and she qualified the same.

Further promotion from the post of Head Constable is to the post of Assistant Sub-Inspector (ASI). Those Head Constables, who qualify the Intermediate School Course, get promoted as ASI. For this purpose, the respondents issued C-1 list of the eligible Head Constables on 28.10.2016 and also on 20.08.2018.

3. Petitioner's grievance is that on account of her having been sent to undergo the Lower School Course only in the year 2018, for all practicable purposes, she is being taken as Head Constable having been promoted in the year 2018. Her out of turn promotion to the post of Head Constable under 10% quota for her outstanding performance has virtually become redundant. The petitioner is not getting the benefit of having been promoted to the post of Head Constable on 21.10.2016 for considering her case for promotion to the next post of ASI in this manner.

Apart from above, petitioner has also highlighted the ground taken in para 9(viii) at page 22 of the paper book, projecting that one Ms. Shailja appointed as Constable on a later date than that of the petitioner, was promoted to the post of Head Constable under 10% quota. On account of her further achievement, even without passing the Lower School Course, she has been promoted as ASI.

4. Learned Senior Counsel for the petitioner apprehends that the respondents are now sending the Head Constables on the basis of C-1 list for undertaking the Intermediate School Course for their promotion to the post of ASI and petitioner's name, being quite down below in the list in view of her having passed the Lower School Course in the year 2018, will not be sent and in this manner, she will lose out her chance for promotion to the post of ASI from the due date.

5. Let learned Assistant Advocate General to have instructions in the matter from respondent No.2. In case the grievance of the petitioner that she is not getting the benefit of her out of turn promotion as Head Constable towards consideration of her name for further promotion to the post of ASI merely on the ground that she has not qualified Lower School Course, when as per the stand of the petitioner, the fault in that regard, if any, does not lie with her as she was sent for undergoing the Lower School Course only in the year 2018, is found genuine, the redressal thereof be endeavored. Instructions be placed on record on the next date of hearing.

List on **25.09.2026.**

September 17, 2026
Mukesh

Jyotsna Rewal Dua
Judge