

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 1238 OF 2017
(@ SPECIAL LEAVE PETITION (CIVIL) NO. 12420 OF 2013)

STATE OF PUNJAB & ORS.

...APPELLANT(S)

VERSUS

HARI SINGH & ANR.

...RESPONDENT(S)

O R D E R

Heard learned counsel for the appellants.

None appears on behalf of the respondents.

Leave granted.

Rule 12.1 of the Punjab Police Rules, 1934 is as follows:

Class of Government Servants	Authority to whom the power of appointment is delegated	The extent of the delegation
Inspectors	Deputy Inspectors-General of Police, Assistant Inspector General, Government Railway Police, Assistant Inspector General, Provincial Additional Police (designated as Commandant, Provincial Additional Police) and the Assistant Inspector-General Police (Traffic)	Full powers subject to rule governing the conditions of service as defined in Police Rules

The above Rule shows that the Deputy Inspector General of Police is one of the authority which has full powers about the service conditions of inspectors.

In these circumstances, the view taken that the DIG was not the competent authority to pass order of pre-mature retirement cannot be sustained.

Accordingly, the impugned order of the High Court is set aside and the appeal is allowed in the above terms. No costs.

.....J.
[ADARSH KUMAR GOEL]

NEW DELHI
30TH JANUARY, 2017

.....J.
[UDAY UMESH LALIT]

ITEM NO.33

COURT NO.10

SECTION IVB

S U P R E M E C O U R T O F I N D I A
R E C O R D O F P R O C E E D I N G S

Petition(s) for Special Leave to Appeal (C) No(s). 12420/2013
(Arising out of impugned final judgment and order dated 17/05/2012
in RSA No. 368/2010 passed by the High Court Of Punjab & Haryana At
Chandigarh)

STATE OF PUNJAB & ORS.

Petitioner(s)

VERSUS

HARI SINGH & ANR.

Respondent(s)

(With interim relief and office report)

Date : 30/01/2017 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE ADARSH KUMAR GOEL

HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Petitioner(s) Mr. Nikhil Nayyar, AAG
Mr. Jagjit Singh Chhabra, Adv.

For Respondent(s) Mr. Devendra Singh, Adv. (NP)

UPON hearing the counsel the Court made the following
O R D E RHeard learned counsel for the appellants.
None appears on behalf of the respondents.
Leave granted.

The appeal is allowed in terms of the signed order.

(Madhu Bala)
Court Master
(Signed order is placed on the file)(Veena Khera)
Cour3t Master