

2025.PHHC:067566-DB



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

Reserved on: 07.05.2025

Pronounced on: 15.05.2025

1. LPA-875-2025 (O&M)

SUKHWINDER SINGH & ORS.

.....Appellants

Versus

STATE OF PUNJAB & ORS.

.....Respondents

2. LPA-924-2025 (O&M)

AMARPAL SINGH & ORS.

.....Appellants

Versus

STATE OF PUNJAB & ORS.

.....Respondents

3. LPA-927-2025 (O&M)

HARPINDER SINGH & ORS.

.....Appellants

Versus

STATE OF PUNJAB & ORS.

.....Respondents

**CORAM: HON'BLE MR. JUSTICE SUDHIR SINGH
HON'BLE MR. JUSTICE ALOK JAIN**

Present:- Mr. Sanjiv Gupta, Advocate
for appellants in LPA-875-2025.

Mr. Sapan Dhir, Advocate
for appellants in LPA-924-2025 and LPA-927-2025.

Mr. Kuljit Singh, Addl. A.G., Punjab.

SUDHIR SINGH, J.

This order shall dispose of the above noted 3 appeals as common questions of law and facts are involved therein. In LPA-875-2025 and LPA-927-2025, challenge is to the order dated 21.02.2025, whereas that in LPA-924-2025, challenge is to the order dated 04.03.2025 passed by the learned Single Judge, whereby the writ petitions filed by all the appellants were dismissed. However, for facility of reference the facts are taken from LPA-875-2025.

2. As per the facts on record, the appellants had applied for the posts of Constable pursuant to the advertisement issued in 1993, whereby 5159 posts were advertised. Substantial number of posts were sought to be filled up from amongst the Special Police Officers (SPOs). It was the grievance of the appellants that in spite of being eligible, they were not appointed and as such, the action of the respondent-authorities was termed to be illegal and arbitrary.

3. It may be noticed that in the earlier round of litigation, CWP-7633-2023 filed by the appellants was disposed of by the learned Single Judge vide order dated 12.08.2024 with liberty to the appellants to approach the respondent-authorities on the ground of parity. Pursuant to the said order, the respondent-Authorities passed the order dated 16.01.2025 rejecting the claim of the appellants and it was the said order which was sought to be quashed in the writ petition. The learned Single Judge, has noticed the factum of the

litigation arising out of the said recruitment process reaching till the Hon'ble Supreme Court with the dismissal of the SLP on 23.02.2024. It was further observed that the appellants were claiming that their names had figured in the eligible candidates, yet they were not appointed and they should be considered on parity with the other candidates granted appointment in 2017 and 2021. However, while rejecting the claim of the appellants, the learned Single Judge has observed as under:-

- “7. The petitioners are claiming appointment against the posts which were advertised in 1993. The selection process concluded in 1993 though litigation which ensued in 1996 came to be concluded in 2024. The petitioners were never permitted to join. The respondents has permitted to join those candidates who were initially appointed, however, came to be removed from service. They had worked for 3-4 years. The petitioners have never worked with respondent. A period of more than 3 decades has passed away. They are claiming post of Constable in the Punjab Police where physical and mental condition is of paramount consideration. All the petitioners have turned around 50 and age of superannuation in the Police Force is 55 years which may be extended till 58 years.
 8. In these peculiar facts and circumstances, this Court does not find it appropriate to invoke its jurisdiction under Articles 226 and 227 of the Constitution of India.
4. The appointment process pertains to 1993. In the

impugned order dated 16.01.2025 passed by the respondent-authorities, it was found that the appellants had never joined the Department and the respondent-Authorities had permitted the joining of those candidates, who were initially appointed and joined the service but were later on removed from the service. In such circumstances, the learned Single Judge did not find any ground to interfere for the reason that a period of more than three decades had already elapsed and further that the appellants had turned 50 years of age, whereas the superannuation age in the Police Department was 55 years, which could be extended till 58 years. We find that the order passed by the learned Single Judge does not suffer from any illegality or perversity which may warrant any interference by this Court.

5. No other point has been urged.

6. In view of the above, finding no merit, all the three appeals are hereby dismissed.

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

**[SUDHIR SINGH]
JUDGE**

**[ALOK JAIN]
JUDGE**

15.05.2025

himanshu

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No