



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

CWP-24754-2018

Date of Decision: 25.09.2025

Charan Singh and Others

...Petitioners

Versus

State of Punjab and Another

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Gagneshwar Walia, Advocate
for the petitioners.

Mr. Aman Dhir, DAG, Punjab.

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking direction to respondents to regularize them as per judgment of Hon'ble Supreme Court in '*Nihal Singh and Others Versus State of Punjab and Others*', 2013(14) SCC 65.

2. The petitioners are seven in number. They joined Punjab Police as SPOs during 1987-1988. The respondent-Police Department deputed them to public sector banks as Security Officers. They were paid salary by banks, however, quantum was determined by parent department i.e. Police Department. Their appointment was made in terms of Section 17 of Police Act, 1861.

3. Colleagues of petitioners approached Hon'ble Supreme Court seeking regularization. Hon'ble Supreme Court disposed of their matter vide common order dated 07.08.2013 with following directions:

“38. We direct the State of Punjab to regularise the services of the appellants by creating necessary posts within a period of three months from today. Upon such regularisation, the appellants would be entitled to all the benefits of services attached to the post which are similar in nature already in the cadre of the police services of the State. We are of the opinion that the appellants are entitled to the costs throughout. In the circumstances, we quantify the costs to Rs.10,000/- to be paid to each of the appellants.”

4. Learned counsel representing the petitioners submits that petitioners are at par with Nihal Singh who was ordered to be regularized by Hon’ble Supreme Court. They comply with all the requisites as contemplated by Hon’ble Supreme Court. They have served respondent for two decades. They cannot be denied benefit of regularization on the ground that they have superannuated prior to judgment of Hon’ble Supreme Court.

5. I have heard learned counsel for the parties and perused the record with their able assistance.

6. From the perusal of record, it is evident that petitioners were colleagues of Nihal Singh. A group of SPOs filed petitions before this Court and matter finally reached to Supreme Court which adjudicated in favour of Nihal Singh and others. The petitioners were in service when the matter was pending before this Court. They opted to abstain from participating in the judicial process. They retired without any demur. The Supreme Court while adjudicating case of Nihal Singh and others did not direct State of Punjab to consider case of even those SPOs who have already retired. In the absence of any direction of Supreme Court, this Court at this belated stage cannot direct State Government to regularize

petitioners who retired more than a decade back. It is apt to notice here that Supreme Court while adjudicating case of Nihal Singh noticed that there would be no financial burden upon State because salary has to be paid by banks. The State Government, at this stage, may not be able to recover funds which State would have to part with on account of regularization of the petitioners.

7. In the wake of above discussion and findings, this Court is of the considered opinion that instant petition being bereft of merit deserves to be dismissed and accordingly dismissed.

(JAGMOHAN BANSAL)
JUDGE

25.09.2025
Prince Chawla

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No