



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

LPA-2378-2025 (O&M)

Date of Decision: 13th August, 2025

CONST. AJMER SINGH AND OTHERS

.....Appellant(s)

V/s.

STATE OF HARYANA AND OTHERS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE ASHWANI KUMAR MISHRA
HON'BLE MR. JUSTICE ROHIT KAPOOR

Present Mr. G.S. Gopera, Advocate for the appellants.

Mr. Pankaj Middha, Addl. A.G., Haryana.

ASHWANI KUMAR MISHRA, J. (Oral)

1. The appellants are ex-servicemen who have approached this Court, with a prayer to direct the respondents to absorb their services in District Police (General Cadre) by taking into consideration their working in the Indian Army for 15 years.

2. The claim of the appellants has been rejected by the learned Single Bench relying upon Rule 3 of the District Police (General Cadre) Rules, 2024 (hereinafter referred to as “the Rules of 2024”). In paras 5 to 7 of judgment of the learned Single Bench, the Rules have been taken note of whereunder alone absorption is permissible. Para 5 to 7 of the learned Single Bench are reproduced as under:-

“5. Rule 3 of 2024 Rules provides that police personnel of IRB would be given an option to be permanently absorbed in District Police (General Cadre) after completion of 15 years satisfactory service including their Phase-I and Phase-II training. The said Rule is reproduced as below:

“3. The police personnel of India Reserve Battalions in the rank of Head Constables, C-1 Constables and Exemptee

Head Constables/Constables shall become eligible to be given an option to be permanently absorbed in District Police (General Cadre) after completion of fifteen years of satisfactory service including completion of their Phase-I and Phase-II training.”

6. *From the perusal of aforesaid Rule, it is quite evident that a Constable/Head Constable is required to complete 15 years service including Phase-I and Phase-II training to become eligible to be absorbed in District Police (General Cadre). The petitioners are claiming that aforesaid Rule should be read in a manner that 15 years service includes service rendered with armed forces.*

The claim of petitioners is based upon the ground that their past service is counted for the purpose of leave encashment and casual leaves. Every benefit is an independent benefit and cannot be linked with others. The incentive of absorption in District Police (General Cadre) was not available at the time of joining of petitioners in IRB. It is a settled proposition of law that Courts have no power to add, subtract or delete any word or expression from the unambiguous and clear language of the legislation. In case of ambiguity, the Courts are empowered to clarify the position while applying principles of interpretation, however, where language is plain and unambiguous, there is no question to add, subtract or delete any word.

7. *In the case in hand, language of aforesaid Rules is unambiguous and in the absence of ambiguity, there is no question to add an expression as claimed by petitioners. Addition of expression that past service with armed forces shall be included while calculating 15 years service amounts to addition of explanation/proviso in the aforesaid Rule which is impermissible in law.”*

3. Rule 3 of the Rules of 2024, as is extracted by learned Single Bench, makes it apparent that permanent absorption in District Police

(General Cadre) would be available only after completion of 15 years of satisfactory service including completion of Phase-I and Phase-II Training.

4. It is an admitted position that the appellants have not rendered 15 years service in the District Police (General Cadre). In such circumstances, the claim of the appellants is clearly not covered for absorption in terms of Rule 3 of the Rules of 2024.

5. We are in agreement with the view taken by the learned Single Bench that the provisions of the Rules cannot be amended by the Writ Court by treating the period of 15 years working in the District Poice (General Cadre) to mean 15 years service in the Indian Army.

6. The LPA stands dismissed, accordingly.

7. All pending applications, if any, in this case are disposed of accordingly.

[ASHWANI KUMAR MISHRA]
JUDGE

[ROHIT KAPOOR]
JUDGE

August 13, 2025
Ess Kay

<i>Whether speaking / reasoned</i>	:	<i>Yes</i>	/	<i>No</i>
<i>Whether Reportable</i>	:	<i>Yes</i>	/	<i>No</i>