



CWP-21388-2022

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

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CWP-21388-2022

Date of Decision: 18.08.2025

MAKHAN SINGH

...Petitioner

Vs.

STATE OF PUNJAB AND ORS.

...Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Dinesh Ghai, Advocate with
Ms. Amita Arora, Advocate and Ms. Kavita, Advocate
for the petitioner

Mr. Aman Dhir, Deputy Advocate General, Punjab

Ms. Garima Kuthiala Prashar, Advocate for
Mr. Chander Mohan Sharma, Advocate for respondent-UOI

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking direction to respondent to appoint him to the post of Male Constable (Driver). He is further seeking direction to respondent to extend benefit of memo/letter dated 23.11.2012 to all retired employees of CRPF in view of judgment dated 11.02.1981 passed by Supreme Court in *“Akhilesh Prasad Vs. Union Territory of Mizoram”* 1981 AIR 806.

2. This is second round of litigation. The petitioner on the earlier occasion preferred *CWP-19550-2021*. The said petition was dismissed vide order dated 09.11.2022. The petition was dismissed on merit. The office memorandum dated 23.11.2012 which is foundation of the instant petition was duly noticed. The petitioner preferred *LPA-200-*

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2022 which was dismissed as withdrawn with liberty to make representation before the authorities.

3. On being asked, learned counsel for the petitioner submits that second writ petition is maintainable because respondent has not decided his representation which he filed pursuant to order dated 11.03.2022 passed by Division Bench in *LPA-200-2022*.

4. The first petition was dismissed on merits and LPA was withdrawn with liberty to make representation before the respondent-authorities regarding inclusion of appellant in the category of Ex-Servicemen. He has filed representation for the said purpose. The petitioner claims that representation is still pending. This Court cannot decide question of inclusion of retired officials of Paramilitary Forces (CRPF, BSF, CISF etc.) in the definition of Ex-Serviceman. It is a policy matter and State has to decide the issue.

5. Without commenting on merits, the petition stands disposed of with the observation that State may look into grievance of the petitioner and pass an appropriate order. It would be appropriate if State authorities do the needful within six months from today.

6. Pending application(s), if any stands disposed of.

(JAGMOHAN BANSAL)
JUDGE

18.08.2025*Deepak DPA*

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