



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

**CWP No.22943 of 2025
Date of Decision:10.09.2025**

Sukhjinder Singh

....Petitioner

VS.

State of Punjab and another

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Brijesh Khosla, Advocate
for the petitioner

Mr. Aman Dhir, DAG, Punjab

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking setting aside of order dated 02.07.2024 (Annexure P-5) whereby his claim has been rejected. He is further seeking direction to respondent to issue him appointment letter for the post of Constable.

2. The petitioner, pursuant to Advertisement No.1 of 2016 dated 31.05.2016, applied for the post of Constable. In the final result dated 19.05.2017, he was at Serial No.32 in the waiting list. The respondent, in view of interim orders of this Court, kept 195 posts of Constables in abeyance. This Court vide judgment dated 30.04.2024 passed in ***CWP No. 25491 of 2023 "Balwinder Singh and Ors. Vs. State of Punjab and Ors."***,



directed the respondent to fill up 195 posts lying vacant on account of interim orders passed in CWP No.3801 of 2015. The respondent on 18.05.2022 prepared another waiting list wherein petitioner's name figured at Serial No.25. In the list dated 21.02.2025, his name figured at Serial No.24.

3. Learned counsel for the petitioner states that the petitioner is denied appointment letter on account of shifting of many Constables from Punjab Armed Police (for short 'PAP') to District Cadre. He had applied for District Cadre. He falls within zone of consideration if Constables are not shifted from PAP to District Cadre or he is considered in PAP.

4. Mr. Aman Dhir, DAG, Punjab submits that on account of interim orders of this Court, 195 candidates who had applied for District Cadre as well as PAP were selected in PAP and as soon as this Court passed order dated 30.04.2024, the entire process was reconsidered and candidates who were adjusted in PAP though eligible for District Cadre, were brought in District Cadre entailing vacancies in PAP. The petitioner did not apply for the post of Constable in PAP. All the eligible candidates have already been selected in PAP, thus, petitioner cannot be considered.

5. The claim of the petitioner is based upon Section 4(b) of the Punjab Police Act 2007, Clauses 4 and 17 of the advertisement which provide that employees of one cadre cannot be shifted to another cadre. On account of interim orders of this Court, many candidates who were eligible for District Cadre were adjusted in PAP because they had applied for both cadres. The moment order dated 30.04.2024 was passed by this Court in *Balwinder Singh (Supra)*, the candidates who had given preference to

District Cadre were brought in District Cadre from PAP and additional candidates who had applied for PAP came to be selected. The petitioner had not applied for PAP, thus, he was not considered in Punjab Armed Police.

6. The contention of petitioner that candidates once selected in PAP could not be transposed to District Cadre is misconceived because 195 selected candidates were adjusted in PAP because of interim orders of this Court. They had applied for District Cadre besides PAP and were eligible for District Cadre. If the petitioner is permitted to be adjusted in District Cadre, it will create right in favour of many other candidates who had applied for District Cadre. The dispute arose on account of interim orders passed by this Court in different petitions and matter was finally resolved vide order dated 30.04.2024 passed by this Court in *Balwinder Singh (Supra)*. The merit of candidates is to be seen as per original result. As per original result, petitioner was not eligible for District Cadre and he did not apply for PAP.

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

(JAGMOHAN BANSAL)
JUDGE

10.09.2025
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Whether speaking/reasoned:	Yes	
Whether reportable:		No