



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No. 19228 of 2025
Date of Decision: 30.07.2025

Prem Poonam and others

....Petitioners

VS.

Chandigarh Administration Chandigarh and others

....Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Rajiv Atma Ram, Senior Advocate with
Mr. Sandeep Kumar, Advocate, for the petitioners
Ms. Shubreet Kaur, Additional Standing Counsel and
Mr. Varun Sandhu, Advocate, for respondents No. 1 and 2

JAGMOHAN BANSAL, J. (ORAL)

1. On 14.07.2025, the following order was passed by this Court:-

"1. Mr. Rajiv Atma Ram, learned Senior counsel inter alia submits that respondent No.3-S.D. Senior Secondary School, Sector 24, Chandigarh selected petitioners in the presence of two nominees of Director, Public Instructions (Schools) ('for short DPI'). The said fact is evident from minutes of meeting dated 26.08.2022. The respondents on the earlier occasions granted post facto approval i.e. after selection of candidates whereas in case of the petitioners, the approval has been declined solely on this very ground. Minutes of meeting dated 26.08.2022 discloses that one Superintendent and one Deputy Director were present as nominees of DPI.

2. From the perusal of order dated 29.08.2023, it comes out that Director, School Education has rejected proposal of appointment of the petitioners on the ground



that selection list was finalized without presence of nominee of the department.

3. *There is stark contradiction between both the documents and claim of both sides. Let affidavits of Deputy Director and Director, School Education, Chandigarh Administration be filed before the adjourned date clarifying the factual position. The Deputy Director in his affidavit shall also disclose the role played by him in the meeting referred to above.*

4. *Adjourned to 28.07.2025.”*

2. In continuation of said order, on 28.07.2025, the following order was passed:-

“ *Affidavit dated 25.07.2025 of Sh. Harsuhinder Pal Singh Brar, PCS, Director School Education, Chandigarh is taken on record. Registry is directed to tag the same at an appropriate place.*

From the affidavit, it is evident that selection process was initiated with the approval of Education Department, Chandigarh. Two Nominees of the Department were present prior to initiation of selection process. In the meeting dated 26.08.2022, it was decided that DAV College, Chandigarh would conduct examination. The examination was conducted after inviting applications through advertisement. The selection process was finalized on 23.01.2023 in the presence of two nominees of the Department.

It prima facie seems to be a case of red tapism and bureaucratic approach. It further appears that Higher Authorities are having some vested interest which they want to achieve by passing the impugned order.

Faced with this, Ms. Shubreet Kaur, Additional Standing Counsel seeks time to get instructions.

Adjourned to 30.07.2025.”



3. During the course of hearing, Ms. Shubreet Kaur, Additional Standing counsel for U.T., Chandigarh, produced copy of order dated 29.07.2025 passed by Director School Education, Chandigarh Administration. The same is taken on record. Registry is directed to tag the same at an appropriate place.

4. As per said order, respondent-U.T.Administration has granted *post facto* approval to appointments made by respondent-School.

5. In view of *post facto* approval granted by Administration, the appointment of petitioners stands regularized. They, henceforth, would be eligible to resume their duty. It is apt to notice here that petitioners from the date of their appointment were working with respondent-School, however, came to be relieved as soon as Education Tribunal vide order dated 14.05.2025 rejected their appeal on the ground of jurisdiction/maintainability. The respondent-Administration has granted *post facto* approval, thus, they would be entitled to salary as per advertisement/appointment letters. It is further clarified that petitioners would not be entitled to salary for the period they have not worked i.e. from 16.05.2025 to 30.07.2025. The arrears shall not carry interest, if payment is made within two months from today, failing which the respondent shall be liable to pay interest @ 7.5% per annum from the date of entitlement. The petitioners would be entitled to continuity of service except for the gap period.

(JAGMOHAN BANSAL)
JUDGE

30.07.2025
paramjit

Whether speaking/reasoned:	Yes	
Whether reportable:		No