



**CWP-25047-2021 and connected cases**

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

**\*\*\*\***

**214 (and 4 cases)**

**CWP-25047-2021  
Date of Decision:01.08.2025**

Sanoj Kumar and Ors. ...Petitioners

Vs.

State of Haryana and Ors. ...Respondents

With

**CWP-364-2022 (O&M)**

Naresh Kumari ...Petitioner

Vs.

State of Haryana and Ors. ...Respondents

With

**CWP-25077-2021**

Suman Kumar and Anr. ...Petitioners

Vs.

State of Haryana and Ors. ...Respondents

With

**CWP-6017-2022**

Beena ...Petitioner

Vs.

State of Haryana and Ors. ...Respondents

And

**CWP-6271-2022**

Dushyant ...Petitioner

Vs.

State of Haryana and Ors. ...Respondents



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**CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present:- Mr. H.S. Dhindsa, Advocate  
for the petitioners

Mr. Suneel Ranga, DAG Haryana.

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**JAGMOHAN BANSAL, J. (ORAL)**

1. As common issues are involved in the captioned petitions, with the consent of both sides, the same are hereby disposed of by this common order.

2. The petitioner through instant petition under Article 226/227 of the Constitution of India is seeking setting aside of WAN messages dated 13.06.2019 (Annexure P-6), dated 19.07.2019 (Annexure P-7) and dated 13.09.2019 (Annexure P-8) being contrary to Rule 13.7 of Punjab Police Rules, 1934 as applicable to State of Haryana (in short 'PPR').

3. The petitioners joined Haryana Police Force in 2012. They were imparted six months advance computer course training from Haryana State Electronics Development Corporation Ltd. (HARTRON) and DAV Institute of Management, Faridabad, in collaboration with Recruitment Training Centre, Faridabad. The State Government in 2017 amended Rule 13.7 of PPR. As per amended Rule every candidate who had participated in B-1 test was entitled to 10 additional marks for the training course of more than twenty weeks. The respondent initiated process of B-1 test under 62% category as contemplated by Rule 13.7 of

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PPR. B-1 test was conducted in March' 2019. The respondent declared result in piecemeal. Result of few candidates was declared in December' 2019. They were not awarded marks for computer course. They approached this Court by way of **CWP-6708-2020** titled as "**Anju Bala Vs. Sate of Haryana**". The said petition came to be allowed vide judgment dated 29.10.2020. The operative part of the judgment dated 29.10.2020 reads as:-

*"8. The case of the Petitioners is fully covered by the aforesaid Division Bench decision, and this Court has no hesitation in concluding that the clarification communicated vide No. 8144/T-2 dated 13/06/2019 (Annexure P-6 in CWP No. 2426 of 2020) cannot override the actual Statutory Rule 13.7, since it cannot be regarded as anything more than the observation of an Executive Authority, which by no means can do away with the requirement of awarding additional marks to concerned candidates in terms of Clause 9 to Rule 13.7 (4)(II) of the Punjab Police Rules, 1934.*

*9. All the three Writ Petitions are, therefore, allowed and the Respondent Authorities are now directed to include the admissible additional marks to which the Petitioners would be so entitled, for their having undergone the relevant Computer/Training Courses exceeding the duration of 20 weeks in terms of Rule 13.7 (4)(II)(9) of the Punjab Police Rules, 1934, for the purpose of considering their eligibility for the concerned Lower School Course 2018. In case any of the Petitioners crosses the Benchmark of 108 Marks, such Petitioner be deputed/permitted to join the said Course immediately, if feasible, or otherwise for the very next similar Course to follow."*

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4. The respondent-State assailed aforesaid judgment by way of intra-court appeal. Matter came up for consideration before Division Bench of this Court which vide order dated 15.11.2021 passed in “***State of Haryana Vs. Anju Bala***”, ***LPA No.26 of 2021 (O&M)*** partially allowed appeal of the State. The Court upheld impugned WAN instructions. It was held that instructions were issued to fill in the gaps of the statutory rules. The Court extended benefit of additional marks to petitioners therein, however, held that benefit would apply to writ petitioners only who were successful as such and have agitated for their claim at the initial point of time and have not been fence sitters. The relevant extracts of order dated 15.11.2021 read as:

*“9. Thus, from the above sequence of events it would be clear that the criteria as such for the additional marks which were to be given for the general test as per the amended rule and which can go up to 10 marks was denied to the dis-advantage of the petitioners. If this benefit was not to be granted, the criteria should have been fixed at the time when the process as such was initiated on 28.05.2018. Therefore, for the reasons above, this Court is of the opinion that the writ petitioners were justified for agitating their claim.*

*10. Counsel for the State has, however, contended that the said benefit as such be restricted only to the writ petitioners as it would open a Pandora's Box regarding similarly situated persons who had chosen not to approach this Court, though a period of 2 years has gone by.*

*11. Keeping in view the above, the present appeals are disposed of by holding that the benefit as such would apply*



*to the writ petitioners only who were successful as such and had agitated for their claim at the initial point of time and had not been fence sitters as has been held in 'State of Uttar Pradesh & others Vs. Arvind Kumar Srivastava & others' 2015 (1) SCC 347. The instructions which were issued, however, cannot be faulted with since they are to fill in the gaps in the statutory rules. They only laid down as to which of the tests could be recognized for the purpose of granting benefits as per the statutory rules and the said instructions would thus only operate from the date they were issued.*

*12. Accordingly, the present appeals are partly allowed and the order of the learned Single Judge is modified to the above extent that the writ petitioners be given the benefit of the computer/training test.”*

5. Learned counsel for petitioners submits that the case of the petitioners is squarely covered by afore-cited judgments of this Court. The petitioners had also undergone computer training of more than twenty weeks, thus, they were eligible for additional 10 marks.

6. *Per contra*, learned State Counsel submits that in view of specific directions of Division Bench in **Anju Bala (supra)**, the benefit cannot be extended to petitioners. The result of the petitioners was declared in March' 2020. Learned Single Judge decided writ petition of **Anju Bala and others** vide judgment dated 29.10.2020. State filed LPAs which were adjudicated on 15.11.2021. The petitioner approached this Court in November' 2021 i.e. after adjudication of LPAs.

7. I have heard learned counsel for the parties and perused the record.



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8. From the perusal of record, it is evident that case of petitioners is squarely covered by judgments passed by learned Single Judge as well as Division Bench. The petitioners are entitled to additional marks because impugned WAN messages were issued after initiation of process of B-1 test. However, this Court cannot ignore findings of Division Bench recorded in paragraph 11 of order dated 15.11.2021. The Division Bench has categorically held that benefit would be available only to the petitioners therein. Thus, any order extending benefits to petitioners would be contrary to mandate of Division Bench. As per principle of precedent, this Court cannot form any opinion contrary to decision of Division Bench.

9. In the wake of above factual position, this Court is of the considered opinion that the instant petitions deserve to be dismissed and accordingly dismissed.

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

**(JAGMOHAN BANSAL)**  
**JUDGE**

**01.08.2025**  
*Deepak DPA*

|                           |        |
|---------------------------|--------|
| Whether Speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |