



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

CWP-22109-2025

Date of Decision: 02.08.2025

Jyoti and Others

...Petitioners

Versus

State of Haryana and Another

....Respondents

CORAM:- HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Suresh Kumar Kaushik, Advocate for the petitioners.

Ms. Rajni Gupta, Addl. A.G., Haryana.

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioners through instant petition under Articles 226/227 of the Constitution of India are seeking setting aside of order dated 18.07.2025 whereby respondent has withdrawn its order dated 03.04.2025.

2. The respondent by order dated 03.04.2025 allotted Units/Battalions to candidates who were selected against Female Constable (HAP-Durga-1) and Female Constable (General Duty). There was separate cadre of Female Constable (HAP-Durga-1) and Female Constable (General Duty). Many candidates forming part of HAP-Durga-1 came to be allotted General Duty which adversely affected claim of Constables forming part of General Duty. Many candidates belonging to General Duty approached this Court which passed interim orders. In view of interim orders, the respondent by order dated 18.07.2025 decided to withdraw its earlier decision dated 03.04.2025. On account of withdrawal of decision dated 03.04.2025, the petitioners have been asked to join HAP-Durga-1.

3. Mr. Suresh Kumar Kaushik, Advocate submits that there are many female Constables who despite being selected in General Duty are

willing to join HAP-Durga-1 which is evident from the fact that they themselves filed option of HAP-Durga-1. The petitioners have filed option of General Duty. If the Constables forming part of General Duty are willing to work in HAP-Durga-1, they should not be deprived of opportunity to serve as Constables (General Duty). They have shifted to their place of posting and got their children admitted.

4. Ms. Rajni Gupta, Addl. A.G., Haryana, who on advance notice is present in Court on behalf of respondent-State submits that order dated 03.04.2025 has been recalled in view of interim orders passed by this Court. Constables forming part of HAP-Durga-1 cannot claim post of Constable (General Duty) as a matter of right. If candidates forming part of General Duty agrees to join HAP-Durga-1, the case of petitioners may be considered subject to the condition that they should be at the bottom of the cadre.

5. In the wake of statement of both sides, the present petition stands ***disposed of*** with liberty to petitioners to approach respondent to permit them to continue with General Duty.

The respondent would consider claim of petitioners if candidates forming part of Constable (General Duty) agree to form part of HAP-Durga-1. The respondent would be free to consider claim of both sides in accordance with law. The candidates who would be shifted from one cadre to another would be at the bottom of the cadre. Let the needful be done within three months from today.

(JAGMOHAN BANSAL)
JUDGE

02.08.2025
Prince Chawla

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