



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

217

CWP-31091-2019 (O&M)
Date of Decision: 22.12.2025

KULDEEP CHIHGAL AND ORS

.....PETITIONERS

Vs.

STATE OF PUNJAB AND ORS

.....RESPONDENTS

2.

CWP-1037-2020

SARBJEET KUMAR AND ORS

.....PETITIONERS

Vs.

STATE OF PUNJAB AND ORS

.....RESPONDENTS

3.

CWP-17427-2020

ASHISH BAMBHA AND ORS

.....PETITIONERS

Vs.

STATE OF PUNJAB AND ORS

.....RESPONDENTS

4.

CWP-27844-2023

JASVEER SINGH

.....PETITIONER

Vs.

STATE OF PUNJAB AND ORS

.....RESPONDENTS

5.

CWP-15670-2024

MATERY

.....PETITIONER

Vs.

STATE OF PUNJAB AND ORS

.....RESPONDENTS



6. CWP-7545-2021 (O&M)
RAJ KUMAR AND ORSPETITIONERS
Vs.
STATE OF PUNJAB AND ORSRESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Dinesh Maurya, Advocate for the petitioner(s) in CWP-27844-2023 and 15670-2024.

Ms. Nikita Garg, Advocate for the petitioner(s) in CWP-17427-2020.

Mr. Parvesh K. Saini with Mr. Ashutosh Bhardwaj and Ms. Akshita Nanda, Advocate for the petitioner(s) in CWP-31091-2019, 1037-2020 and 7545-2021.

Mr. Vikas Arora, DAG, Punjab.

Mr. Simranjot Singh with Mr. Rajnish K. Jindal, Advocates for respondent No.5 in CWP-31091-2019.

Mr. Sangam Garg and Ms. Mehak Kanwar, Advocates for respondents No.4 and 5-PSPCL in CWP-15670-2024.

Mr. Ankit Kumar, Advocate for respondent No.4 in CWP-27844-2023.

Mr. Rajesh Sehgal, Advocate for respondent Nos. 4 and 5 in CWP-15670-2024.

Mr. Sehaj Bir Singh with Mr. Dhruv Khosla, Advocate for respondents-PSPCL in CWP-31091-20219, 1037-2020, 17427-2020 & 7545-2021.

HARPREET SINGH BRAR, J. (ORAL)

On 30.10.2025, the following order was passed by this Court:-



“Learned counsel for the petitioner(s), inter alia, contends that vide Notification dated 05.09.2016 (Annexure P-6), Punjab Civil Services (General and Common Condition of Service) Rules, 1994, were amended and the word ‘two’ was substituted with word ‘three,’ thereby extending the period of probation from two years to three years for the newly appointed employees. Thereafter, the Department of Personnel, Government of Punjab, issued a clarification dated 31.08.2017 (Annexure P-7) that the condition of three years of probation in terms of the amendment carried out on 05.09.2016, would not be applicable to the cases where the advertisement was issued prior to 05.09.2016. In other words, when the selection process was initiated prior to 05.09.2016, their period of probation would be two years. However, vide impugned Instructions dated 20.08.2018 (Annexure P- 8), the Department of Personnel, Government of Punjab, directed that employees appointed on compassionate grounds prior to 05.09.2016 would not be covered by notification dated 05.09.2016 (Annexure P-6) as clarified by letter dated 31.08.2017 (Annexure P-7). It is an admitted fact that all the petitioner(s) were the dependents of deceased employees who were appointed on compassionate grounds prior to 05.09.2016. In spite of the fact that the petitioner(s) made an application for appointment prior to 05.09.2016, the petitioner(s) are being unfairly subjected to three years of probation while their counterparts who were appointed in lieu of processes initiated prior to the said date have to only serve two years of probation. Thus, a different yardstick is being applied to the case of the petitioner(s), without any reason to justify the same. Such cherry picking is violative of the rights



of the petitioner(s) under Articles 14 and 16 of the Constitution of India.

Prima facie, the petitioner(s) are being discriminated against on the basis of their mode of appointment bereft of any intelligible differentia. Further, vide Notification dated 05.09.2016 (Annexure P- 6), Punjab Civil Services (General and Common Condition of Service) Rules, 1994, were amended, which apply uniformly to the direct appointees and those appointed on compassionate grounds.

Learned State counsel is directed to have complete instructions with regard to the anomaly created in case of the candidates appointed on compassionate grounds.

This Court also finds it appropriate to direct the Administrative Secretary (In-charge), Department of Personnel, Government of Punjab to submit an affidavit deliberating upon the difference drawn between employees appointed by direct recruitment and those appointed on compassionate grounds, and the reasons behind adoption of such an iniquitous approach. The needful be filed with the Registry before the next date of hearing.

List again on 20.11.2025 for further consideration.

A copy of this order be supplied to learned State counsel for information and compliance.

A photocopy of this order be placed on the file of other connected cases.”

2. In compliance with the order dated 30.10.2025 passed by this Court, the affidavit of Sh. Pardeep Singh, Deputy Secretary, Department of Personnel on behalf of respondent No.3 has been filed in Court today and



the same is taken on record. Copies thereof have been supplied to the learned counsel for the petitioner(s).

3. Learned State counsel refers to the affidavit and submits that the petitioners have been treated at par with the direct appointees. As such, the grievance raised in the present petition(s) have been substantially addressed, and the present petition(s) have been rendered infructuous.

4. In view of the above, the present petition(s) are disposed of, and the respondent-Corporation is directed to pass a fresh order, keeping in view the specific stand taken by respondent No. 3 in the affidavit dated 30.10.2025 as well as the notification (Annexure R-1/1) dated 15.12.2025, within a period of three months, along with consequential benefits in terms of the aforesaid notification.

5. Pending misc. application (s), if any, shall also stand disposed of.

6. A photocopy of this order be placed on the files of connected cases.

(HARPREET SINGH BRAR)
JUDGE

22.12.2025
pry

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No