



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

- (1) CWP-26251-2024 (O&M)
Hardeep Singh and othersPetitioners
Versus
Union Territory, Chandigarh Administration and othersRespondents
- (2) CWP-26285-2024 (O&M)
Devender Kumar and othersPetitioners
Versus
Union Territory, Chandigarh Administration and othersRespondents
- (3) CWP-28393-2024 (O&M)
Balwan and othersPetitioners
Versus
Union Territory, Chandigarh Administration and othersRespondents

Reserved on : 25.04.2025
Date of Pronouncement : 23.06.2025

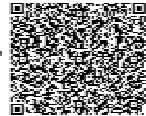
CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE
HON'BLE MR. JUSTICE SUMEET GOEL

Present : Mr. Anupam Gupta, Senior Advocate, with
Mr. Gautam Pathania, Advocate,
Mr. Sukhpal Singh, Advocate, and
Mr. Jasdev Singh Brar, Advocate,
for the petitioners in CWP-26285-2024.

Mr. Babbar Bhan, Advocate, and
Ms. Swati Tiwana, Advocate,
for the petitioners in CWP-26251-2024.

Mr. Rahul Gautam, Advocate,
for the petitioners in CWP-28393-2024.

Mr. Amit Jhanji, Senior Standing Counsel, UT Chandigarh, with
Mr. Arvind Moudgil, Senior Panel Counsel (through V.C.),
Ms. Isha Bhukal, Advocate,
Ms. Sukhmani Patwalia, Advocate, and
Mr. Hakikat Grewal, Advocate,
for U.T. Chandigarh.

**SHEEL NAGU, CHIEF JUSTICE**

1. These three petitions raise common questions of law and are based essentially on same set of facts and grounds and, thus, are being decided by this common order.

2. Challenge in these petitions filed under Article 226/227 of the Constitution of India is to two separate orders, both dated 03.10.2024, vide which Central Administrative Tribunal, Chandigarh Bench, Chandigarh, while dealing with M.A. No. 2134/2024 in O.A. No. 592/2023 and M.A. No. 2138/2024 in O.A. 568/2023, has rejected prayer of the petitioners herein for grant of interim relief of stay of notice dated 27.09.2024 scheduling B-1 test on 05.10.2024 and 06.10.2024, with an alternative prayer to clarify interim order dated 30.08.2024 of status quo in respect of earlier notice dated 23.08.2024.

3. The petitioners, who are numbered 249 (13 in CWP-26251-2024, 77 in CWP-27285-2024 and 159 in CWP-28393-2024), and are applicants in O.A.s No. 568/2023 and 592/2023, substantively hold the post of Constable in Police Department under Union Territory, Chandigarh Administration, since 2007-08. The petitioners, who claim to be due for promotion to the post of Head Constable, preferred two different O.A.s, numbered as 568/2023 and 592/2023, seeking quashment of circulars dated 31.05.2023 and 15.06.2023, by which the petitioners herein were directed to submit their willingness if they are interested to appear in B-1 test (under 25% quota). Quashment on various grounds in the said O.A.s was also sought of notification dated 18.06.2021, vide which Recruitment Rules for promotion to the post of Head Constable were amended.



4. One of the basic contentions of the petitioners, raised before the Tribunal, is that being appointees of 2007-08, they cannot be expected to compete in the said promotion test with fresh recruits in the cadre of Constable.

4.1 While the aforesaid two O.A.s were pending before Tribunal, prayer for interim relief was made, which has been declined by the orders challenged in these petitions.

5. Learned counsel for the petitioners have not pointed out any jurisdictional error in the impugned orders of the Tribunal. The Tribunal being constituted under the Administrative Tribunals Act, 1985, is a statutory body dealing with service matters *inter alia* of employees of Union of India. The Tribunal comprises not only of a Judicial Member, but also experts in administrative and service law as Administrative Members, who aid and assist the Judicial Member in the process of adjudication of service matters.

5.1 Unless and until the petitioners point out any jurisdictional error, this Court in its limited writ and supervisory jurisdiction ought not to interfere in orders legitimately passed by the Tribunal.

5.2 Merely because another view is possible in the given facts and circumstances of the case, cannot be a good reason to invoke writ or supervisory jurisdiction of this Court under Article 226/227 of the Constitution of India.

6. In view of the above, this Court declines interference and also in view of information supplied by learned Senior Standing Counsel for Union Territory, Chandigarh, that both the aforesaid O.A.s are likely to be finally heard in the near future, this Court refrains from making any comment on



merits and relegates the petitioners to pursue their respective O.A.s pending before the Tribunal.

6.1 This Court hastens to add that we have not commented on merits of the matter but we expect the Tribunal to decide O.A.s No. 568/2023 and 592/2023, as expeditiously as possible, without being influenced by the factum of the petitioners having approached this Court and passing of this order.

7. Accordingly, the petitions stand disposed of.

(SHEEL NAGU)
CHIEF JUSTICE

June 23, 2025
narotam

(SUMEET GOEL)
JUDGE

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