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

CWP-27061-2025

Date of decision: 11.09.2025

Promila

....Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**Present:** Mr. Mazlish Khan, Advocate
for the petitioner.

Mr. Vikrant Pamboo, Additional A.G., Haryana.

Mr. S.S. Parmar, Advocate
fo respondents No.2 to 6.**HARPREET SINGH BRAR, J. (ORAL)**

1. The present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondent-Department to allow the petitioner to join the duty on the post of Assistant Lineman (ALM).

2. Learned counsel for the petitioner submits that the petitioner participated in the selection process pursuant to the advertisement dated 07.03.2023 (Annexures P-1 & P-2). The petitioner was successful in securing appointment as discernible from the appointment letter dated 08.02.2024 (Annexure P-4). The petitioner during the mandatory medical examination was declared temporary unfit on account of her advance pregnancy. The medical authority advised medical re-examination six weeks after the delivery. The petitioner has duly informed the respondent-Corporation about her condition and submitted all relevant documents including the medical opinion. After



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petitioner gave birth to a child on 24.05.2024 as discernible from Annexure P-8, she obtained a medical fitness certification from the Civil Hospital, Sonipat on 10.07.2024 (Annexure P-9) and subsequently, submitted an application for joining on 11.07.2024 (Annexure P-10). Some of the candidates who were selected along with the petitioner were allowed to join recently on 18.08.2025 as discernible from Annexure P-12, whereas, a different yardstick has been applied to the petitioner. The action of the respondent-Corporation is arbitrary and violated the fundamental right of the petitioner enshrined under Article 14 of the Constitution of India and petitioner serves a legal notice dated 18.08.2025 (Annexure P-14) which remains unheeded.

3. Learned counsel for the respondents appearing on advanced notice, submits that he has no objection in case a direction is issued to the respondent No.2 for time-bound consideration and decision of the legal notice of the petitioner by passing a speaking order.

4. Therefore, in view of the limited prayer made by learned counsel for the petitioner, respondent No.2 is directed to consider the legal notice dated 18.08.2025 (Annexure P-14) of the petitioner and pass a speaking order, after affording her an opportunity to be heard, within a period of 06 weeks from the date of receiving a certified copy of this order. Further, the decision taken thereof shall be conveyed to the petitioner.

5. Needless to say if the petitioner fulfils all other eligibility criteria and her claim is accepted, she is entitled to notional pay protection and seniority at par with her batch mates as per her seniority in the list. However, she would not be entitled to any pay for the period prior to her joining. In case, there is any deviation by the respondents-Corporation from the direction issued



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by this Court, the petitioner would be at liberty to file an appropriate application under Article 215 of the Constitution of India for initiating contempt of Court.

6. Disposed of, accordingly.

(HARPREET SINGH BRAR)
JUDGE

11.09.2025

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