



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

CWP-26205-2025

Date of Decision:04.09.2025

Surjit Singh

...Petitioner

Vs.

State of Punjab and others

...Respondents

Coram : Hon'ble Mr. Justice N.S.Shekhawat

Present : Mr.H.C Arora, Advocate
for the petitioner.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present writ petition under Article 226 of the Constitution of India with a prayer to issue a writ in the nature of Mandamus for directing the respondent No. 3 to accept the representations submitted by the petitioner for permission to join back on the previous post of Punjabi Master, in Government High School, Jaura Singha, District Gurdaspur, inter-alia, on the grounds that:-

(i) the petitioner who was employed as Punjabi Master, and was on probation period of 3 years, which was yet to be completed, was selected and appointed as Assistant Professor (in Punjabi), in pursuance to the recruitment process initiated by the respondent State of Punjab;

(ii) the petitioner had to join the aforesaid post of Assistant Professor (in Punjabi) and therefore, he submitted his representation for accepting his technical resignation from the post of Punjabi Master, with a further request that his lien on the post of said Punjabi Master be maintained until he completes probation period as Assistant Professor (in Punjabi);

(iii) the aforesaid request was rejected by the respondent No. 3 Director vide order Annexure P-6 dated 20.02.2025;

(iv) now the entire recruitment process for appointment of Assistant Professors, including that of Assistant Professor in Punjabi having been quashed by the Hon'ble Supreme Court of India vide judgment Annexure P-7 dated 14.07.2025, the petitioner is left of nowhere and has made repeated representations for joining on the post of Punjabi Master in the Government High School, Jaura Singha, Gurdaspur, without attracting any response from the respondents; and (v) the petitioner is presently working on temporary basis, as a stop-gap arrangement for a period of 6 months or so on the post of Assistant Professor (in Punjabi), till the regular recruitment is made by the respondent State on the said post;

(vi) there are various precedents, (to which a detailed reference has been made in the body of the instant Civil Writ Petition) where similarly situated employees were taken back on their previous post notwithstanding the fact that their case were not covered under Rule 3.12 of the Punjab Civil Service Rules, Volume-1, Part-1;

(vii) without prejudice to above, the case of the present petitioner is covered under Rule 7.5 of the Punjab Civil Service Rules, Volume-1, Part-1 (for which detailed submissions have been made in the body of the instant Civil Writ Petition), and the petitioner therefore deserves to be taken back in service as Punjabi Master in Government High School, Jaura Singha, District Gurdaspur, without any further delay.

2. Learned counsel for the petitioner submits that the petitioner has already submitted a representation dated 30.07.2025 (Annexure P-7/2) to the respondent No.3, but no action has been taken on the said representation and he shall be satisfied in case, appropriate directions are issued to the respondent No.3 to decide the representation dated 30.07.2025 (Annexure P-7/2) in a time bound manner in the light of the judgment passed by the Hon'ble Supreme Court of India in the matter of **"Mandeep Singh and Ors. Vs.State of Punjab and Ors"** (Annexure P-8) and the judgments passed by this Court in CWP-9450-2023 (O&M) and CWP -9740-2023 (O&M) (Annexures P-10 and

P-11) as well as order dated 05.04.2023 (Annexure P-12).

3. Notice of motion.

4. On the asking of the Court, Mr. Satnampreet Singh Chauhan, DAG, Punjab, who is present in the Court, accepts notice on behalf of the official respondents and has no serious objection to the limited prayer made by learned counsel for the petitioner, at this stage.

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

6. At this stage, the present petition is disposed of with a direction to the respondent No.3 to decide the representation dated 30.07.2025 (Annexure P-7/2) submitted by the petitioner, within a period of four months from the date of receipt of certified copy of this order by passing a speaking and well reasoned order.

7. Needless to observe that the respondent No.3 shall grant an opportunity of personal hearing to the present petitioner before passing any order. Apart from that, the respondent No.3 shall also take into consideration the observations made by the Hon'ble Supreme Court in **"Mandeep Singh and Ors. Vs.State of Punjab and Ors"** (Annexure P-8) and the judgments passed by this Court in CWP-9450-2023 (O&M) and CWP-9740-2023 (O&M) (Annexures P-10 and P-11) as well as order dated 05.04.2023 (Annexure P-12).

8. In case, the petitioner is found entitled to any consequential relief, the same shall be granted to him, without any further delay.

9. Disposed of.

04.09.2025

hitesh

(N.S.SHEKHAWAT)
JUDGE

Whether speaking/reasoned
Whether reportable

: Yes/No
: Yes/No