



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

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CWP-10566-2026

Date of Decision : 08.04.2026

Satnam Das and others

.....Petitioners

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE NAMIT KUMAR

Present : Mr. Jagtar Singh Sidhu, Advocate for the petitioners.

Mr. Kanav Singla, A.A.G., Punjab.

NAMIT KUMAR, J. (ORAL)

1. The petitioners have approached this Court by filing the instant petition under Articles 226/227 of the Constitution of India, seeking issuance of a writ of certiorari for quashing the orders dated 04.12.2025, 10.11.2025, 12.11.2025, 17.11.2025, 03.12.2025, 01.02.2025 & 17.03.2025 (Annexures P-6 to 6O), issued by respondents No.3 & 4, whereby the claim of the petitioners for pay protection for the period served by them as Assistant Professor in different subjects in different Government Colleges of Punjab has been rejected. Further, seeking issuance of a writ of mandamus, directing the respondents to grant the pay parity to the petitioners with their counterparts and to grant them the full pay scale admissible to Assistant Professors in Govt. Colleges of Punjab and to release the arrears with interest @ 12% per annum after re-fixing the salary of the petitioners and to grant all consequential benefits such as medical leave, earned leave, leave travel concession etc. for the period served by the petitioners as Assistant

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Professor and especially to petitioners No.20 and 21, who are still working as Assistant Professors at their respective stations.

2. Brief facts of the case, as have been pleaded in the petition, are that the petitioners had been working on the post of Lecturer in different subjects and some of them were working as High School Teachers in different schools of Punjab governed by Punjab School Education Board. Petitioner No.9 had been working in Department of Social Justice, Empowerment and Minorities as Research Officer. In pursuant to the Advertisement dated 19.10.2021 (Annexure P-3), the petitioners had applied for the post of Assistant Professors in various subjects and finally, they were selected and appointed. One of the appointment letter of petitioner No.1 dated 02.12.2021 has been annexed with the petition as Annexure P-4. After their appointments as Assistant Professors, they submitted their technical resignations which were accepted by respondent No.4 to enable them to join on the post of Assistant Professor and accordingly, they had joined as such in different subjects in different Govt. Colleges in the State of Punjab. Thereafter, the petitioners have submitted representations to the Principals of their respective Colleges for their pay protection as per Punjab Civil Services Rules and the said claim has been rejected by the respondents, vide impugned order dated 04.12.2025 (Annexure P-6). Hence, the instant petition.

3. It is not in dispute that the recruitment process for the post of Assistant Professor was challenged before this Court in ***CWP No.22446 of 2021 titled as 'Harmesh Singh and others Vs. State of Punjab and others'*** and other connected petitions. Vide judgment dated

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08.08.2022, the learned Single Judge of this Court allowed the said writ petitions and quashed the entire recruitment process for being in violation of law inasmuch as the Commission not having been excluded as per procedure prescribed and State having not followed the UGC guidelines and adopting an arbitrary process for the recruitment. The said judgment was challenged by the State as well as the candidates, who are selected/appointed, by filing ***LPA No.89 of 2023 titled as 'State of Punjab and another Vs. Harmesh Singh and others'***. Vide judgment dated 23.09.2024, the Division Bench of this Court, while allowing the said LPA and upholding the recruitment process, set aside the judgment dated 08.08.2022 passed by the learned Single Judge of this Court. Thereafter, the judgment dated 23.09.2024 passed by the Division Bench of this Court was assailed before the Hon'ble Supreme Court in ***Special Leave Petition (Civil) No(s).23141 of 2024 titled as 'Mandeep Singh and others Vs. State of Punjab and others'*** and other connected appeals, which was decided, vide judgment dated 14.07.2025, wherein the Hon'ble Supreme Court has set aside the judgment dated 23.09.2024 passed by the Division Bench of this Court and restored the judgment dated 08.08.2022 passed by the learned Single Judge of this Court by observing that the State did not adhere to the UGC Regulations and took the posts out of the purview of the Commission without following the procedure prescribed under the law and this was done suddenly without any valid reason and thus, the same would amount to arbitrariness. It has further been observed that the State has miserably failed to justify the departure from the standard norms of the recruitment process. It has failed to give any valid reason for not

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adopting the UGC Regulations and avoiding the Public Service Commission in the recruitment in question and the reasons for this departure were narrow political and clearly arbitrary. In the concluding paras of the said judgment, it has been observed as under :-

“60. Before parting, we would like to observe that we are aware of the fact that quashing of the entire recruitment process may cause hardships for the selected candidates, but at the same time, there is no equity in the favour of selected candidates as challenge to the recruitment was made during the pendency of the process and appointments were subject to the Court orders. A gross illegality like the present recruitment cannot be ignored.

61. Thus, considering the entire facts of the case, we allow these appeals and set aside the order dated 23.09.2024 passed by the Division Bench of the Punjab and Haryana High Court and quash the entire recruitment and direct the State to initiate the recruitment process as per the 2018 UGC Regulations which are now in force in the State of Punjab.”

4. Learned counsel for the petitioners submits that in terms of Rule 4.4(A) of the Punjab Civil Services Rules, Volume-I, the pay of the petitioners was required to be protected. He further submits that two similarly situated employees namely, Smt. Sangeeta Madan, Assistant Professor, English and Sh. Lakhvir Singh, Assistant Professor, Political Science, have been granted the benefit of pay protection, vide orders dated 27.05.2025 (Annexures P-13 & P-14).

5. On receipt of advance copy of the petition, learned State counsel has put in appearance and submits that the orders dated 27.05.2025 (Annexures P-13 & P-14) granting benefit of pay protection



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to Smt. Sangeeta Madan, Assistant Professor, English and Sh. Lakhvir Singh, Assistant Professor, Political Science, were issued before the pronouncement of judgment dated 14.07.2025 by Hon’ble Supreme Court in *Special Leave Petition (Civil) No(s).23141 of 2024 titled as ‘Mandeep Singh and others Vs. State of Punjab and others’* and other connected petitions, whereby the whole recruitment process for the post of Assistant Professor has been quashed and therefore, the said orders dated 27.05.2025 (Annexures P-13 & P-14) would have no effect now.

6. I have heard learned counsel for the parties and perused the relevant documents.
7. Admittedly, the selection/appointments to the post of Assistant Professor have already been set aside by the learned Single Judge of this Court vide judgment dated 08.08.2022 which has now been upheld by Hon’ble Supreme Court in its judgment dated 14.07.2025. Once the foundation goes and selection and appointment does not exist, no consequential relief of pay protection can be claimed by the employees.
8. Keeping in view the above, the present petition, being devoid of merit, is hereby dismissed.

08.04.2026	(NAMIT KUMAR)
Kothiyal	JUDGE
Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No