



CWP-17285-2021

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

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CWP-17285-2021

Date of Decision: 24.02.2026

SANTOKH SINGH

...Petitioner

Versus

STATE OF PUNJAB AND OTHERS

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Ms. Veena Kumari, Advocate for petitioner

Mr. Aman Dhir, D.A.G., Punjab

JAGMOHAN BANSAL, J. (ORAL)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking setting aside of order dated 18.11.2020 whereby respondent has rejected his request for retention beyond 58 years.

2. The petitioner was enrolled as Home Guards Volunteer on 13.06.1988. He continued to work till the age of 58 years. He preferred **CWP-4645-2020** which was disposed of by this Court with a direction to respondent to pass detailed order with respect to his claim to remain in service till the age of 60 years. The respondent by order dated 18.11.2020 rejected his claim on the ground that instructions dated 01.01.2019 are applicable to regular State Government employees whereas petitioner was Home Guards Volunteer.

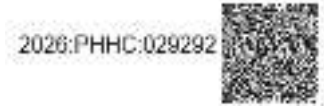


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3. Learned counsel for the petitioner submits that petitioner is a disabled person. He was not working as volunteer. He remained in service for 32 years. He approached this Court well within time. He cannot be granted extension, however, should be compensated for not being permitted to remain in service till the age of 60 years.

4. Heard the arguments and perused the record.

5. The petitioner is claiming that he remained in service for 32 years, thus, was not volunteer. He was getting salary of Rs.32,000/- per month. His salary was increased from time to time which shows that he was not a volunteer. Contention of petitioner is misconceived and cannot be countenanced. Hon'ble Supreme Court in ***Grah Rakshak, Home Guards Wel. Association v. State of H.P. and others***, 2015(6) SCC 247 while rejecting claim of members of Home Guards with respect to regularization has held that they are entitled to minimum of pay scale plus Dearness Allowance payable to Constables. In view of increase in basic pay and Dearness Allowance of regular Constables, the remuneration of Home Guard Volunteers is increased. In the absence of specific order, no member of Home Guards can claim that he is a regular employee. The respondent has rejected petitioner's claim on the ground that extension beyond 58 years is granted to regular employees. The service of petitioner was governed by Punjab Home Guard Rules, 1963. He was not governed by Civil Service Rules. It is apt to notice that State is claiming that instructions dated 01.01.2019, whereunder extension was granted to regular employees beyond 58 years, stands withdrawn w.e.f. 02.03.2020. The petitioner has already attained age of 60 years.



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6. In the wake of above discussion and findings, this Court is of the considered opinion that petition deserves to be dismissed and accordingly dismissed.

7. Pending Misc. application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

24.02.2026
SDK

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