IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

(124) CWP-17985-2026
Date of Decision : May 29, 2026

Union Territory, Chandigarh and others .. Petitioners

Versus

Central Administrative Tribunal, Chandigarh and another .. Respondents

(131) CWP-18214-2026

State of Union Territory, Chandigarh and others .. Petitioners

Versus

Central Administrative Tribunal, Chandigarh and others .. Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE DEEPAK MANCHANDA

Present: Ms. Sukhmani Patwalia, Advocate and
Mr. Abhishek Kumar Premi, Advocate, for the petitioners (in both petitions).

Mr. Nitin Sharma, Advocate, for the private respondents.

HARSIMRAN SINGH SETHI J. (ORAL)

1. By this common order, two writ petitions, the details of which have been given in the heading, are being disposed of as both the petitions involve the same question of law on similar facts.

2. Present writ petitions have been filed challenging the order dated 18.05.2026 and 12.05.2026 (Annexure P-1) passed by the Central Administrative Tribunal, Chandigarh (hereinafter referred to as 'the Tribunal') by which, interim relief has been granted in favour of the respondents by directing the petitioners to allow them to attend the lower

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school course (LSC).

3. Learned counsel for the petitioners submits that the "lower school course" has already been concluded on 27.05.2026 and hence, giving interim direction at this stage, allowing the private respondents to attend lower school course, is incorrect.

4. Learned counsel for the petitioners further submits that as of now, even the grievance raised regarding the issue that whether the vacancies calculated, which is to be filled under 25% quota, is correct or not, is yet to be adjudicated and finalized, but without even prima facie deciding the said aspect, the respondents have been sent to the lower school course by way an interim order which is tantamount to granting the main relief, which even otherwise could not have been granted hence, the orders dated 18.05.2026 and 12.05.2026 (Annexure P-1) passed by the Tribunal may kindly be set aside.

5. Notice of motion.

6. Mr. Nitin Sharma, Advocate, who is present in the Court, accepts notice on behalf of the private respondents.

7. Learned counsel for the respondents submits that in case, the name of the respondents are not admitted to said course by way an interim order, they will have to compete again for the same, which will cause prejudice.

8. Learned counsel for the respondents further submits that the batch was sent on 01.05.2026 to undergo said course and tomorrow is the last day of conclusion of said course and therefore, the course is yet to be concluded.

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9. We have heard learned counsel for the parties and have gone through the record with their able assistance.

10. Once, the duration of said course was of 30 days and even if it is assumed for the sake of arguments that the same started from 01.05.2026, the course is on the fag end i.e. the same is to be concluded tomorrow.

11. Further, once the duration of course is of 30 days, every day counts and on the day when the interim order granting permission to undergo the course was passed, half of the duration of the course had already been concluded, therefore, said practical and important issues have not been looked into by the Tribunal while passing an interim order.

12. Further, the issue which remains is whether, the vacancies for Constables to be filled under 25% quota is correctly calculated by the petitioners or not, is yet to be adjudicated. Once, the primary issue is yet to be adjudicated, granting the benefit to undergo such course by perusing the averments of the respondent as correct, which is the ultimate relief, and that too by way of an interim order, is not permissible.

13. Nothing has come on record to show as to what irreparable loss will be caused to the respondents in case they are not sent to the lower school course especially when half of the duration of the course had already been undergone on the day when the interim order granting the benefit to undergo said course was passed.

14. Further, the Tribunal in case is of the opinion that the respondents are entitled for the relief to undergo said course, they can still be deputed to attend lower school course by giving due direction to the

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petitioners, even if to fulfill said purpose, a special course is to be organized for them, in order to remove any prejudice.

15. Hence, in the totality of the circumstances, the interim order granted in favour of the respondents directing the petitioners to send the respondents to lower school course especially when the lower school course has already concluded, the said direction given vide order dated 18.05.2026 (Annexure P-1) is set aside. However, it is made clear that this Court is not opining on the merits of the case. In case after examining all the merits, the respondents are found entitled for any relief, the Tribunal will be within its jurisdiction to grant appropriate relief so that no prejudice is suffered by the respondents in any manner.

16. The writ petitions are allowed in above terms.

17. Civil miscellaneous application pending if any, also stands disposed of.

18. A photocopy of this order be placed on the file of other connected case.

(HARSIMRAN SINGH SETHI)
JUDGE

May 29, 2026 **(DEEPAK MANCHANDA)**
harsha **JUDGE**

Whether speaking/reasoned : Yes
Whether reportable : No

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