

**CWP-18012 of 2023 (O&M)****1****IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH****CWP-18012 of 2023 (O&M)
Date of Decision: May 19, 2026****Parmod Kumar****.... Petitioner****Versus****State of Punjab and others****.... Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI
HON'BLE MR. JUSTICE DEEPAK MANCHANDA****Present: - Mr. Viren Jain, Advocate
for the petitioner.****Mr. Rahul Rampal, Addl. A.G., Punjab.****Mr. Rish. Pal Chaudhary, Advocate
for respondent No.6.*************HARSIMRAN SINGH SETHI, J. (ORAL)**

1. In the present petition, the challenge is under Article 226 of the Constitution of India to the impugned notification dated 12.09.2011 (Annexure P-8) regarding constitution of the 'State Level Scrutiny Committee' to verify the 'Social Status Certificates' in the State of Punjab and notification dated 10.12.2004 (Annexure P-9) regarding constitution of 'Vigilance Cell' in the 'Directorate of Welfare of Scheduled Castes and Backward Classes, Punjab on the ground that the said notification is contrary to the directions given by the Hon'ble Supreme Court

of India in **Civil Appeal No. 5854 of 1994** titled as '**Kumari Madhuri Patil and another Vs. Additional Commissioner, Tribal Development and others**' 1995 AIR (SC) 94.

2. Further, the quashing of impugned decision dated 07.07.2023 (Annexure P-10) passed by the State Level Scrutiny Committee, Department of Social Justice, Empowerment & Minorities, Govt. of Punjab, whereby the certificate No.2148 dated 07.02.2014 (Annexure P-1) certifying the petitioner to be belonging to a Scheduled Caste (Ramdasi) in Punjab has been ordered to be cancelled is also being sought via this writ petition on the ground that same has been done by a committee not constituted as per law.

3. During the pendency of the writ petition, the State of Punjab accepted the said argument and has re-constituted the Vigilance Cell vide notification dated 18.05.2026 which Notification has been brought before this Court to show that the Vigilance Cell was duly re-constituted in terms of the judgment in **Kumari Madhuri Patil's case (supra)**.

4. Learned counsel for the petitioner submitted that in view of the fact that the earlier proceedings were undertaken against the petitioner by a Vigilance Cell which was constituted contrary to the directions given by Hon'ble Supreme Court of India in '**Kumari Madhuri Patil's case**' (supra) hence, any order/report given by such Vigilance Cell should be treated as a nullity.

5. Learned counsel for the respondents have not been able to rebut the said argument.
6. Keeping in view the above, the decision/report dated 07.07.2023 (Annexure P-10) given by a Vigilance Cell which was not constituted in accordance with law is set aside.
7. However, now once a Vigilance Cell has been reconstituted in accordance with the directions given by the Hon’ble Supreme Court of India, the respondent herein will be within his jurisdiction to file an appropriate application for the redressal of his grievance. In case, any such application is moved, the Vigilance Cell so re-constituted now, vide notification dated 18.05.2026 will act upon the said application and will pass appropriate order in accordance with law within a period of four months from the date of receipt of any such application.
8. Pending application, if any shall also stand disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

(DEEPAK MANCHANDA)
JUDGE

May 19, 2026
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Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No