



**CWP-7199-2018**

**:1:**

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

**214**

**CWP-7199-2018 (O&M)  
Date of decision : 18.03.2026**

**JAGDEEP SINGH**

**..... Petitioner**

**VERSUS**

**STATE OF PUNJAB AND ORS**

**..... Respondents**

**CORAM : HON'BLE MR. JUSTICE DEEPINDER SINGH NALWA**

**\*\*\***

Present :- Mr. Pardeep Kumar, Advocate  
for the petitioner.

Ms. Neha Sonawane, DAG, Punjab.

**\*\*\***

**Deepinder Singh Nalwa, J. (Oral)**

1. In the present writ petition, the petitioner is praying for issuance of a direction to the respondents to count the previous service rendered by the petitioner w.e.f.01.04.2010 to 12.05.2015 in Punjab Armed Police as a Constable, for the purposes of grant of seniority, pay fixation and notional consequential benefits.

2. Brief facts of the case are that the petitioner was initially appointed as a Constable in the Armed Cadre of Punjab Police on 01.04.2010. In the year 2015, the Department of Police, Punjab issued an advertisement for filling up posts of Constables in the District Cadre. In pursuance to the above said advertisement, the petitioner duly applied for

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consideration for appointment on the post of Constable in the District Cadre. Petitioner submitted technical resignation and was appointed on the post of Constable in pursuance to the said advertisement in the year 2015. The petitioner joined District Mansa in District Cadre Punjab Police on 13.05.2015.

3. Learned counsel appearing on behalf of the petitioner submits that in light of the instruction letter dated 19.02.2016 (Annexure P-3) issued by the Department of Finance, Government of Punjab, the service rendered by the petitioner from 01.04.2010 to 12.05.2015 in Punjab Armed Police should be taken into consideration for the purpose of seniority, pay fixation and notional consequential benefits. Petitioner submitted representation on 29.08.2017 (Annexure P-4) in regard to counting of service rendered by the petitioner in Punjab Armed Police and for the purpose of seniority, pay fixation and notional consequential benefits. No decision was taken on the said representation. Consequently, the petitioner has filed the present writ petition claiming the benefit of previous service rendered w.e.f.01.04.2010 to 12.05.2015 for the purposes of grant of seniority, pay fixation and notional consequential benefits, placing reliance upon letter dated 19.02.2016 (Annexure P-3) issued by the Department of Finance, Government of Punjab.

4. On the other hand, learned counsel appearing on behalf of the respondents submits that a perusal of letter dated 19.02.2016 (Annexure P-3) does not refer to giving benefits of previous service rendered by an employee who has resigned on technical grounds, for the purposes of

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fixation of seniority, pay fixation and other benefits. Learned counsel further submits that the service rendered by the petitioner from 01.04.2010 to 12.05.2015 in Punjab Armed Police, before being appointed in the District Cadre of Punjab Police, can only be taken into consideration for the purpose of pensionary benefits as such, the claim of the petitioner cannot be accepted.

5. After hearing the learned counsel for the parties at some length and going through the records of the case, a perusal of the facts of the case would show that the petitioner is relying upon the letter dated 19.02.2016 (Annexure P-3), the said letter does not anywhere mention that an employee after giving technical resignation, and is re-appointed in service, the earlier service rendered by the employee has to be taken into consideration for the purposes of seniority, pay fixation and other consequential benefits. A perusal of the letter dated 19.02.2016 (Annexure P-3) would show that where an employee, who has joined Government service on a pensionable post, submits a technical resignation to join another post/Department under the Government of Punjab, the previous service is taken into consideration only for the purpose of retiral/pensionary benefits.

6. Taking into consideration the fact that the letter dated 19.02.2016 (Annexure P-3) does not mention that after technical resignation, if an employee is appointed and joins the department of the Government of Punjab, previous service rendered by such employee has to be taken into consideration for the purpose of fixation of seniority, pay fixation and other benefits. No rules or instructions has been brought to the notice of this Court



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wherein, it is provided that an employee after giving technical resignation joins the other post in the department, is entitled for grant of benefit of seniority, pay fixation and notional consequential benefits.

7. In view of above, this Court finds no merit in the present writ petition.

8. Accordingly, the same is dismissed. However, it is clarified that in case any rule or instruction has been issued by the respondents in regard to consideration of previous service rendered by the employee after submitting a technical resignation for the purpose of seniority, pay fixation and notional consequential benefits on joining other department, in such case, it is always open for the petitioner to approach the competent authority for redressal of his grievance, in accordance with law.

9. Pending application(s), if any, shall also stand(s) disposed of accordingly.

**(DEEPINDER SINGH NALWA)**  
**JUDGE**

**18.03.2026**

Rimpal

Whether speaking/reasoned  
Whether Reportable :

Yes/No  
Yes/No