



CWP-23389-2025

-1-

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

105

CWP-23389-2025

Date of Decision: 18.03.2026

Major Ramanpreet Kaur (Retd.)**...Petitioner****Versus****State of Punjab and others****...Respondents****CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL**

Present: - Ms. Roopan Atwal, Advocate for the petitioner

Mr. Aman Dhir, Deputy Advocate General, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking direction to the respondent to issue Ex-serviceman Certificate for employment with State of Punjab.

2. The petitioner was commissioned into Military Nursing Services ('MNS') on 05.09.2013 as a Short Service Commissioned Officer. She was released in the rank of Major on completion of engagement of 10 years. She is claiming that she should be issued Ex-serviceman Certificate because she falls within definition of '*Military Service*'.

3. Learned counsel for the petitioner submits that as per Punjab Recruitment of Ex-Servicemen Rules, 1982 (for short '**1982**'), Ex-Servicemen are entitled to reservation. The petitioner has retired from MNS, thus, is entitled to benefit of Ex-Serviceman. A Division Bench of this Court in ***Capt. Gurpreet Kaur. v. Punjab Public Service Commission and others;***



2024 SCC OnLine P&H 328 has held that for the purposes of reservation as per 1982 Rules, members of MNS fall within the definition of 'Ex-serviceman'. They are part of Military. The said judgment was assailed in **Irwan Kour v. Punjab Public Service Commission and others, 2025 SCC OnLine SC 789** before Hon'ble Supreme Court which vide its judgment dated 16.04.2025 has upheld decision of this Court. Union of India vide notification dated 09.02.2026 has amended Ex-Servicemen (Re-employment in Central Civil Services and Posts) Rules, 1979. As per said notification, MNS of the Union is included under definition of 'Ex-Serviceman'.

4. *Per contra*, learned State counsel submits that State Government is not averse to claim of the petitioner to the extent that she is entitled to reservation in employment with State Government as per 1982 Rules as well as judgment of Hon'ble Supreme Court, however, respondent-State is of the opinion that petitioner should seek Ex-serviceman Certificate on each occasion while applying for the post. The State Government is following notification of Central Government and Central Government has not included MNS in the definition of 'Ex-serviceman'.

5. Heard the arguments and perused the record.

6. From the perusal of record, it is evident that petitioner is Ex-member of MNS. A Division Bench of this Court as well as Supreme Court has categorically held that members of MNS fall within the definition of 'Ex-serviceman' for the purpose of reservation as per 1982 Rules. The respondent-State is not denying claim of the petitioner, however, insisting that petitioner should seek fresh certificate on each occasion while applying for the post. The State is further claiming that Central Government has not



CWP-23389-2025

-3-

included MNS in the definition of '*Ex-serviceman*'. Union of India has amended definition of '*Ex-serviceman*' and members of MNS are included in the said definition, thus, stand of the State Government does not survive. The State is further claiming that petitioner should seek Ex-serviceman Certificate on each occasion while applying for the post. Stand of respondent-State seems to be unjustified. The State Government while implementing beneficial scheme is required to avoid redtapism and adopt holistic approach. No purpose would be served if petitioner is asked to seek Ex-serviceman Certificate on each occasion while applying for the post. She can get employment only once, thus, there is no question to misuse said certificate. The State has not pointed out that all the members of Armed Forces seek Ex-serviceman Certificate on each occasion while applying for employment.

7. In the wake of above discussion and findings, this Court is of the considered opinion that petition deserves to be allowed and accordingly allowed. Respondent-State is hereby directed to issue Ex-serviceman Certificate to the petitioner within two months from today.

(JAGMOHAN BANSAL)
JUDGE

18.03.2026

Mohit Kumar

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