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

**CWP-11593-2026 (O&M)
Date of decision: 23.04.2026**

Jarmal Singh

... Petitioner

Vs.

**Punjab State Civil Supplies Corporation Limited and another
... Respondents**

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Padamkant Dwivedi, Advocate and
Ms. Ayushi, Advocate
for the petitioner.

Mr. Anil Sharma, Advocate
for the respondents.

HARPREET SINGH BRAR, J. (ORAL)

1. Present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of *mandamus* directing the respondents to clear the probation period of the petitioner on the post of Inspector Grade-II on completion of one year from the date of his promotion i.e. 28.03.2017 (Annexure P-1) and to fix the pay accordingly and thereafter, release the retiral dues along with interest @6% *per annum*, in view of the judgment passed by the Hon'ble Supreme Court in *State of Punjab Vs. Dharam Singh, AIR 1968 SC 1210* (Annexure P-8) and the



judgment passed by this Court in **CWP-7151-2026** titled as **Pawan Kumar @ Pawan Vs. Punjab State Civil Supplies Corporation Limited and another** (Annexure P-11). It is further prayed to direct the respondents to re-calculate the gratuity payable to the petitioner after fixing his last pay drawn and pay the balance amount of gratuity along with interest @6% *per annum*.

2. On 18.04.2026, following order has been passed by this Court: -

“Learned counsel for the petitioner, inter alia, contends that the petitioner was initially appointed as a Chowkidar on 01.01.1997, and was subsequently promoted as a Public Distribution Clerk on 22.12.2010. Thereafter, he was further promoted to the post of Inspector Grade-II vide order dated 28.03.2017 (Annexure P-1), pursuant to which he assumed charge on 29.03.2017. The said promotion order specifically stipulated that the petitioner would remain on probation for an initial period of one year, extendable by six months at a time, up to a maximum further period of one year. It is submitted that the petitioner successfully completed the initial period of probation on 28.03.2018. However, no order extending the period of probation or recording any adverse remark was ever passed by the respondents. In the absence of any such extension, the petitioner is deemed to have been confirmed in service upon completion of the prescribed probation period.

Learned counsel further submits that, owing to the inaction of the respondents in issuing a formal confirmation order, the petitioner was constrained to submit a representation dated 27.12.2023 (Annexure P-5), seeking confirmation of his services. The said position was also duly affirmed by respondent No.2 vide



communication dated 07.02.2024 (Annexure P-6), wherein it was categorically stated that the petitioner had completed his probation on 29.03.2018 and that no charge-sheet or disciplinary proceedings were pending against him. Despite the aforesaid, no formal order of confirmation was issued, and the petitioner ultimately retired from service on 30.04.2025 (Annexure P-7). It is contended that on account of such non-confirmation, the petitioner was unlawfully denied annual increments from April 2018 till the date of his retirement, which has adversely impacted his last pay drawn, gratuity, and other retiral benefits.

*Learned counsel further submits that the case of the petitioner is squarely covered by the Constitution Bench judgment of the Hon'ble Supreme Court in **State of Punjab vs. Dharam Singh, AIR 1968 SC 1210** (Annexure P-8). Reliance is also placed upon the judgments rendered by this Court in **CWP-17435-2024** titled **Pritpal Singh vs. Punjab State Civil Supplies Corporation Limited (PUNSUP) and another, decided on 23.09.2025** (Annexure P-9); **CWP-37038-2025** titled **Sandeep Singh vs. Punjab State Civil Supplies Corporation Limited (PUNSUP), decided on 22.12.2025** (Annexure P-10); and **CWP-7151-2026** titled **Pawan Kumar @ Pawan vs. Punjab State Civil Supplies Corporation Limited (PUNSUP) and another, decided on 10.03.2026** (Annexure P-11).*

It is further contended that the case of the present petitioner is covered on all fours with the case of Pawan Kumar (supra), inasmuch as both involve similarly situated retirees who were denied the benefits of confirmation despite completion of the prescribed probation period without any adverse material on



record.

At this stage, Ms. Devyani Sharma, Advocate on advance notice appeared on behalf of the respondents and seeks a short accommodation to obtain complete instructions in the matter.

Accordingly, adjourned to 23.04.2026.”

3. Learned counsel for the respondents is not in a position to distinguish the case of the petitioner from the petitioner in **Pawan Kumar @ Pawan**'s case (*supra*).

4. I have heard learned counsel for the parties and perused the record of the case file with their able assistance.

5. It has gone uncontroverted that the petitioner was promoted to the post of Inspector Grade-II on 28.03.2017, as discernible from office order (Annexure P-1) and successfully completed his probation period of one year on 29.03.2018 and on attaining the age of superannuation, he retired on 30.04.2025. At the relevant time, no chargesheet or disciplinary proceedings were pending against the petitioner and in spite of that, no formal order regarding completion of probation period was passed. As such, due to non-passing of the formal order of confirmation, the petitioner cannot be made to suffer.

6. In view of the above, present application is allowed in terms of the judgment rendered by this Court in **Pawan Kumar @ Pawan**'s case (*supra*). The respondents are directed to pay the admissible retiral dues to the petitioner, after refixing the last pay drawn by him at the time of his



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retirement, along with interest @6% *per annum*, to be computed after two months of his date of retirement i.e. 28.02.2019, in terms of judgment rendered by the Full Bench of this Court in ***A.S. Randhawa Supg. Engineer (Retd.) Vs. State of Punjab, 1998 (1) SCT 34*** till the date of actual payment. The needful be done within a period of three months from the date of receipt of certified copy of this order.

7. The pending miscellaneous application(s), if any, shall stand disposed of.

23.04.2026
vishnu

[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No