



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

112+262

CWP-8360-2026 (O&M)
Date of Decision: **20.04.2026**

Anaib Singh

.....Petitioner

VERSUS

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present : Mr. S.K. Arora, Advocate for the petitioner.

Mr. Amit Shukla, DAG Punjab.

Mr. Sarbuland Singh Mann, Advocate for respondent No.4.

Mr. Rupinderjit Singh Brar, Advocate for respondent No.3.

HARPREET SINGH BRAR, J. (Oral)

CM-5979-CWP-2026

The present application has been filed under Section 151 of CPC for placing on record written statement of respondent No.4 along with Annexures R-1 to R-3.

In view of the grounds mentioned in the application, the same is allowed, written statement filed on behalf of respondent No.4 along with Annexures R-1 to R-3 are ordered to be taken on record, subject to all just exceptions.

Registry is directed to place the same at an appropriate place.

**MAIN**

1. The present writ petition has been filed under Article 226/227 of the Constitution of India with a prayer for issuance of an appropriate writ in the nature of *certiorari* for quashing the letter dated 09.03.2026 (Annexure P-4) issued by respondent No.4 and instructions dated 06.02.2026 (Annexure P-5) issued by respondent No.1 vide which the petitioner has been granted last chance to pass the type test on or before 31.03.2026. Further praying for issuance of a writ in the nature of *mandamus* directing the respondents to exempt the petitioner from passing the type test or in alternative petitioner be provided training regarding type test on government expenses and one year period thereafter as per instructions dated 25.03.2021 (Annexure P-6) issued by Department of Personnel, Punjab as no such condition for passing the type test was earlier imposed in the promotion order dated 19.05.2017 (Annexure P-3) issued by respondent No.4. 1

2. On 19.03.2026, the following order was passed by this Court:-

“Prayer in this writ petition filed under Article 226 of the Constitution of India, is for issuance of a writ in the nature of certiorari, for quashing the letter dated 09.03.2026 (Annexure P-4) issued by respondent No.4 and instructions dated 06.02.2026 (Annexure P-5) issued by respondent No.1, vide which the petitioner has been granted last chance to pass the Type Test on or before 31.03.2026. Further a writ of mandamus has been sought, directing the respondents to



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exempt the petitioner from passing the Type Test or in alternative, the petitioner be provided training regarding Type Test on government expenses and one year period thereafter as per the Instructions dated 25.03.2021 (Annexure P-6) issued by respondent No.1.

Learned counsel for the petitioner, inter alia, contends that the petitioner was appointed as a Sewadar on 06.03.1997 and his services were regularized on 20.12.2011. He was subsequently promoted to the post of Clerk on 19.05.2017 and the promotion order did not stipulate any condition that he must pass a Type Test. For over eight years following his promotion, the respondents never communicated any requirement to the petitioner to pass a Type Test. Suddenly, the petitioner received a letter dated 09.03.2026 (Annexure P-4) from respondent No. 4, purportedly granting him a "last chance" to pass the Type Test by 31.03.2026, failing which he would face reversion, which was based on Government Instructions dated 06.02.2026 (Annexure P-5). In response, the petitioner submitted a representation on 12.03.2026 (Annexure P-7), requesting adequate opportunity and training to appear for the test, but no reply has been furnished. Despite this, he has been directed to appear for the test on 22.03.2026.

Learned counsel for the petitioner refers to the Government Instructions dated 06.02.2025 (Annexure P-5) and submits that the Instructions provide that Administrative Department shall ensure that such employees should be given training for typing test before one year from the date of their promotion so that they may be able to pass the Type Test. Further in Para 2 (b) of the Instructions, it is provided that the employees (suitable and desirous) to be promoted from Group-D to Group-C (Clerk) post shall be given typing training at concerned Department/Office after office timing or shall be



given typing training at Mahatma Gandhi State Institute of Public Administration.

Learned counsel for the petitioner further submits that respondent No.4 unilaterally imposed the aforesaid Instructions (Annexure P-5) without considering the fact that at the time of appointment of the petitioner, the essential qualification does not prescribe Computer Proficiency or Type Test. The petitioner has been appointed and given promotion after serving the department for over 20 years and no effort has been made for imparting training to the petitioner or any other employee and all of a sudden, on 09.03.2026, he was granted "last Chance" to pass the Type Test by 31.03.2026. As such, the act and conduct of the respondents is arbitrary and discriminatory.

Notice of motion.

Mr. Vikas Arora, DAG, Punjab who is present in the Court accepts notice on behalf of respondents No.1 to 3 – State while Mr. Sarbuland S. Mann, Advocate accepts notice on behalf of respondent No.4 and file Memo of Appearance, which is taken on record. The Registry is directed to tag the same at appropriate place.

Learned counsel for the petitioner is directed to supply a copy of paperbook to counsel opposite during course of the day.

Adjourned to 20.04.2026.

In the meantime, operation of the impugned letter dated 09.03.2026 (Annexure P-4) shall remain stayed qua the petitioner.”



4. Before the commencement of further arguments, learned State counsel, on instructions from Mr. Rubinderjit Singh Brar, submits that respondent No.3, in view of the peculiar facts and circumstances of the case, has taken a conscious decision to grant the petitioner a period of six months to qualify the Type Test in question.

5. In response, learned counsel for the petitioner submits that the petitioner is satisfied with the stand taken by the respondents and undertakes to clear the Type Test as and when conducted after the expiry of the aforesaid period. It is further undertaken that the petitioner shall comply with all conditions pertaining to the Type Test in terms of the instructions dated 25.03.2021 (Annexure P-6).

6. In view of the statements made by learned counsel for the parties, the present writ petition is disposed of with a direction to the respondents/competent authority to grant the petitioner a period of six months to qualify the Type Test. The respondents shall accordingly conduct the Type Test after the expiry of six months from the date of receipt of a certified copy of this order.

7. It is made clear that any non-compliance or deviation from the directions issued hereinabove shall render the concerned authority liable for appropriate proceedings in accordance with law, including recourse under Article 215 of the Constitution of India.



8. Pending miscellaneous application(s), if any, shall also stand disposed of.

(HARPREET SINGH BRAR)
JUDGE

20.04.2026
Puneet Chawla

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No