

(2026) 02 P&H CK 1824
In the Punjab And Haryana At Chandigarh
Case No : Civil Writ Petition No. 3158 Of 2026

Constable Latesh

APPELLANT

Vs

State Of Haryana And Others

RESPONDENT

Date of Decision : 17-02-2026

Acts Referred:

Constitution Of India, 1950 — Article 226

Citation : (2026) 02 P&H CK 1824

Hon'ble Judges : Jagmohan Bansal, J

Bench : Single Bench

Advocate : C.R. Dahiya, D.K. Sihag, Ravi Partap Singh, Akshit Pathania, Himanshu Garg, Dheeraj Setia

Final Decision : Disposed Of

Judgement

Jagmohan Bansal, J

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking direction to respondents to allow him to appear in Lower School Course for the year 2022.
2. This is second round of litigation. On the earlier occasion, the petitioner preferred CWP No.8973 of 2025 before this Court which was allowed vide order dated 28.03.2025. The petitioner, pursuant to orders of this Court, was permitted to appear in B-I Test. She successfully cleared B-I Test and became eligible for Lower School Course.
3. Learned State counsel submits that petitioner has not completed 5 years service for 2022 Batch. She was awarded punishment on account of absence from duty. Her absence period was declared dies non. She has not filed appeal against said order. In such circumstances, period of 49 days absence cannot be counted towards length of service.
4. This Court has observed that many Exemptee Head Constables or Exemptee

Assistant Sub-Inspectors are filing petitions expressing their unwillingness to go for Lower School Course. They do not want to complete Lower School Course. They are not claiming substantive post of Head Constable. Their petitions have been allowed by this Court. The petitioner wants to undergo Lower School Course. The respondent is compelling officers who are unwilling to go whereas petitioner is willing to go and respondent is showing indifferent attitude.

5. Learned State counsel, on instructions from Mr. Himanshu Garg, I.P.S. Assistant Inspector General of Police (Administration), Police Headquarters, Haryana and Mr. Dheeraj Setia, I.P.S. Assistant Inspector General of Police (Training), Police Headquarters, Haryana, who are present in Court, submits that it is correct that many Exemptee Head Constables or Exemptee Assistant Sub-Inspectors are unwilling to undergo Lower School Course and there are few Constables who are willing to undergo Lower School Course. They have even cleared B-I Test. The respondent is willing to depute such Constables for Lower School Course, however, existing Rules are not permitting. The department has drafted Police Rules which would replace existing Punjab Police Rules, 1934 (as applicable to State of Haryana) (for short 'PPR'). New Rules were drafted in 2023 and forwarded to State Government. The Home Department raised certain objections which stand addressed by office of Director General of Police, Haryana. The matter is pending before Home Department. The moment amended Rules are approved, the competent authority would be able to resolve the issue. New Rules are further likely to resolve many other issues which are arising on account of changed facts and circumstances.

6. In the case in hand, the petitioner has successfully cleared B-I Test. She is eligible for 2022 Batch if her absence period is ignored. She has not preferred appeal against order whereby her absence period was declared dies non. Considering the fact that most of the Constables who are holding Exemptee rank of Head Constable or Assistant Sub-Inspectors are unwilling to undergo Lower School Course and the petitioner is ready to be tagged at the tail of the 2022 Batch, this Court finds it appropriate to direct the respondent to permit the petitioner to undergo Lower School Course which commenced w.e.f. 16.02.2026.

7. It is clarified that petitioner shall not be entitled to any financial or other benefit qua aforesaid 49 days period except permission to participate in Lower School Course.

8. The petition stands disposed of in above terms.