# Legal Case Summary: Balwinder Singh and Others vs State of Punjab and Others (1999)

## Case Summary

Title: Balwinder Singh and Ors. vs State of Punjab and Ors.

Citation: (1999) IILLJ 1411 SC

Date of Judgement: 31 March 1999

Bench: Justice S. Saghir Ahmad, Justice R.P. Sethi

Author of Judgment: Justice S. Saghir Ahmad

## Parties Involved

Plaintiffs (Appellants): Balwinder Singh and 7 others

Defendants (Respondents): State of Punjab and associated authorities

## Background / Facts of the Case

The appellants served voluntarily as Home Guards from 1985 to 1990. In 1990, appellants 1–4 were appointed as Corporal Instructors and appellants 5–8 as Dispatch Riders, on ad hoc appointments for 89-day terms that were continuously extended. They served in these posts until July 1994. After July 1994, no fresh appointments were made, and their services were discontinued.

## Legal Issues

1. Whether the appellants, appointed on an ad hoc and temporary basis, have the right to claim reinstatement or regularisation.

2. Whether the non-payment of salaries for the period they worked constitutes a legal wrong.

## Judgement / Holding

The Supreme Court held that the appellants cannot claim reinstatement as a matter of right, being appointed on a fixed-term ad hoc basis. However, since they served for 4–5 years through appointments made by the respondents, they deserve sympathetic consideration. The Court provided relaxation in age for future recruitment opportunities and directed that they be given first preference if the State recruits for similar posts. The appellants may also apply for unpaid salary dues to the appropriate authority.

## Final Order

Appeal disposed of with no costs. The direction by the Punjab & Haryana High Court regarding action against officers who granted repeated extensions is not disturbed. Relief similar to SLP (C) No. 19783 of 1996 granted: age relaxation and preference in recruitment, but no reinstatement.

## Case Timeline

* 1985–1990: Appellants served voluntarily as Home Guards
* 1990: Appointed on ad hoc basis (Corporal Instructors/Dispatch Riders)
* 1990–1994: Continued on extended ad hoc terms
* July 1994: Last term ended, no further appointment
* 1996: Reference to SLP (C) No. 19783/1996 made
* 31 March 1999: Final judgement by Supreme Court

## Relevant Articles and Legal Principles (Inferred)

1. Article 14 – Right to Equality

2. Article 16 – Equality of Opportunity in Public Employment

3. Article 21 – Protection of Life and Personal Liberty (implicitly relevant)

4. Article 311 – Dismissal, Removal or Reduction in Rank in Civil Service (contextual relevance)

5. Doctrine of Legitimate Expectation – Based on prolonged service on ad hoc basis

6. Ad hoc Employment Rules – Legal limitations on claims to permanent status