

Punjab Traffic Police: Supreme Court Rejects Repatriation After Permanent Cadre Absorption

The Supreme Court upheld relief for Punjab traffic personnel permanently absorbed into their cadre, rejecting their return to the General District Police Cadre.

CPLA No. 249-L of 2025 | 2026-09-29

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The Supreme Court's decision

Punjab traffic personnel who had been permanently absorbed into the Traffic Warden Service Cadre could not be returned to the General District Police Cadre on the basis advanced by the department. The Supreme Court dismissed the department's civil petition and refused leave to appeal, leaving the Punjab Service Tribunal's relief intact.

The decision is *The Additional Inspector General of Police/Head of Traffic Police, Punjab Lahore and others v Muhammad Javed and others*, CPLA No. 249-L of 2025, decided on 29 September 2026. Justice Ayesha A. Malik authored the judgment on a Bench with Justice Muhammad Shafi Siddiqui. The supplied three-page judgment is approved for reporting but does not state a reporter citation.

The important distinction is between permanent absorption into a cadre and an ordinary posting to perform traffic duties. The Court found permanent absorption under the instruments governing these respondents. It did not give every police employee an unrestricted right to remain at a particular station or assignment.

How the traffic cadre dispute arose

The respondents were originally recruited in the General District Police Cadre. The Inspector General of Police, Punjab issued Standing Order No. 2 of 1995 to restructure the traffic police. The judgment also identifies the later introduction of the Traffic Warden System in Punjab through letter No. 24554-24610/EA-IV dated 12 June 2017, following which the respondents were taken into the Traffic Warden Service Cadre.

In 2024, they were transferred back to the police cadre. They challenged that action and succeeded before the Punjab Service Tribunal, Lahore, in Appeal No. 2876 of 2024, decided on 20 December 2024. The department then sought leave to appeal before the Supreme Court.

The employees relied on paragraph 7(i) of the Standing Order and rules 3(7) and 14 of the Punjab Police Traffic Wardens Services Rules, 2017. The department's position was that they had never been absorbed into the traffic cadre. The controversy therefore concerned their legal cadre status, rather than simply the administrative convenience of a transfer.

Why Standing Order No. 2 of 1995 mattered

Paragraph 3 examines the Standing Order dated 30 March 1995. The Court understood it as establishing a specialized and separate traffic cadre, with no deputation, under the District Superintendent of Police's control. That structure contradicted the idea that the respondents remained merely temporary visitors from their original cadre.

Paragraph 6(1)(e) provided for fresh inter-se seniority in the Traffic District upon induction into the Traffic Sub-Cadre. Fresh seniority was relevant because it reflected the intention to create a traffic cadre with its own service consequences.

Most importantly, the Court found paragraph 7(i) applicable to these respondents and held that it permanently absorbed them into the Traffic Warden Service Cadre. This was the express basis of the decision. Lengthy service in traffic duties supported the factual context, but the judgment should not be reduced to a rule that long posting alone automatically creates permanent absorption.

The role of the 2017 Traffic Wardens Rules

The Court read the Standing Order with the Punjab Police Traffic Wardens Services Rules, 2017. It noted the provisions regulating retirement at age 60 for those appointed to this cadre before commencement of the Rules and maintaining seniority in their respective units.

The respondents had also served in the traffic cadre for a considerable period and undertaken traffic orientation, lower, intermediate and upper courses. Their specialized training and service record were consistent with the cadre structure recognized by the governing instruments.

Taken together, the express absorption provision, separate seniority, subsequent service rules and actual service record supported the conclusion that repatriation to the General District Police Cadre was uncalled for.

Why the ESTA Code did not justify the cadre change

The Court stated that change of cadre was not covered under the ESTA Code, especially where absorption had expressly occurred under the Standing Order. That conclusion answered the administrative justification in this dispute.

It should be applied with its context intact. The judgment does not declare the entire ESTA Code irrelevant to every service matter. Nor does it decide the legality of every future transfer within the traffic cadre. Counsel must first identify whether the challenged order changes the employee's cadre and whether the governing instruments establish permanent absorption.

A transfer order's label cannot replace that examination. An action described as repatriation may still disturb a permanently established cadre position. Conversely, a temporary posting or actual deputation requires analysis of its own terms rather than automatic reliance on this case.

Recurring disputes and institutional responsibility

Paragraph 4 broadens the discussion to good governance. Where the same administrative practice repeatedly produces grievances, litigation or judicial correction, a public institution should identify the underlying deficiency and correct it. It should not require each affected person to establish the same point afresh.

The Court emphasized learning from administrative errors and preventing their recurrence. These observations explain why consistent implementation of service instruments matters beyond the individual appeal. The operative relief, however, remains the refusal of leave in this cadre-absorption dispute; paragraph 4 does not itself confer a separate promotion or compensation entitlement.

Practical use in service litigation

For an employee challenging repatriation, the first task is to establish the source of permanent absorption. Counsel should place the Standing Order, relevant induction or absorption record, cadre rules, seniority record and impugned order before the forum. Training and the length and nature of service can support the context but should not substitute for the legal instrument.

For the department, the decisive question is whether its proposed action is consistent with the employee's established cadre status. Merely describing an order as a transfer will not resolve an express absorption provision. If the facts differ, the department should identify the difference

precisely, such as a temporary posting rather than absorption under paragraph 7(i).

This is a record-based judgment. Employees outside the instruments considered here must establish their own governing rules. The decision does not fix a universal forum, limitation period or procedural route for every cadre dispute.

Frequently asked questions

Can permanently absorbed Punjab traffic personnel be repatriated to the district police cadre?

In this case, the Supreme Court rejected repatriation because paragraph 7(i) permanently absorbed the respondents into the traffic cadre and the service rules supported that status. Other employees must establish that the same or materially relevant absorption provisions apply to them.

Does a long traffic posting alone create permanent absorption?

The judgment does not establish that proposition. Its central finding was express permanent absorption under the Standing Order, supported by the rules, seniority structure and service record.

What happened to the department's Supreme Court petition?

CPLA No. 249-L of 2025 was dismissed and leave to appeal refused on 29 September 2026. The Punjab Service Tribunal's judgment in favour of the respondents remained undisturbed.

Judgment source and paragraph guide

The complete supplied judgment is available through the judgment PDF download on this page. Paragraph 2 records the dispute and competing positions; paragraph 3 contains the cadre and absorption reasoning; paragraph 4 addresses recurring administrative failures; paragraph 5 gives the final order. The downloadable article is a separate explanatory document and does not replace the judgment.

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