

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

COCP No.2537 of 2014 (O&M)

Date of decision: 21.04.2015

Balwinder Singh and others

..... Petitioners

Versus

Devender Kumar and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASIH

Present:- Ms. Ramandeep Kaur, Advocate for
Ms. Sangita Dhanda, Advocate for the petitioners.

Mr. Pradeep Punia, Advocate
for the respondents.

AUGUSTINE GEORGE MASIH, J. (ORAL)

CM No.24992-CII of 2014

CM allowed.

The same is taken on record.

COCP No.2537 of 2014

Counsel for the respondents has referred to reply to Paras 9 to 17 of the contempt petition wherein it has been mentioned that the petitioners have preferred various writ petitions for the same relief on the basis of which the petitioners were claiming the benefit and alleging non-compliance of the order passed by this Court in CWP No.17812 of 1997 decided on 03.12.2008. In the said writ petitions, which was preferred by the petitioners in operative part of the orders read as follows:

“Learned counsel for the respondents, at the very outset, fairly states that to put the controversy to an end, he has the instructions to say that the petitioner shall be considered for appointment, if he is found higher in merit than the last selected candidate, as per the merit list dated 5.10.2009 prepared in compliance of the order dated

3.12.2008 (Annexure P-3) passed by this Court in CWP No.17812 of 1997. He further submits that let the petitioner approach the respondent authorities by making an appropriate representation, pointing out his marks secured in the merit list and his claim would be considered, as per the merit list dated 5.10.2009. He further submits that this exercise would be carried out, strictly in accordance with the observations made by this Court in the common order dated 9.9.2014 passed in the bunch of cases, and within the number of posts, i.e. 336 posts of Assistant Lineman and 75 posts of Shift Attendants.

Faced with the above-said fair statement made by learned counsel for the respondents, learned counsel for the petitioner also fairly states that let the present writ petition be disposed of, in view of the abovesaid statement made by learned counsel for the respondents, because the statement made by learned counsel for the respondents satisfies the claim of the petitioner.

Ordered accordingly.

However, it is made clear that directions issued hereinabove would be restricted only to the petitioner. It is also made clear that petitioner will approach the respondents within a period of 30 days from today by making an appropriate representation and respondents shall consider and decide the same at an early date by passing an appropriate order thereon, strictly in accordance with law but in any case within a period of three months from the date of receipt of representation from the petitioner.

Disposed of, accordingly.”

In view of the above, the present contempt petition is disposed of.

Rule discharged.

**(AUGUSTINE GEORGE MASIH)
JUDGE**

April 21, 2015