

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

C.O.C.P. No. 2563 of 2014
Date of decision: 09.01.2015

Gurveer Singh

..... Petitioner

Versus

Smt. Vini Mahajan and anr.

..... Respondents.

CORAM:HON'BLE MR.JUSTICE HARINDER SINGH SIDHU

Present: Mr. Rahul Sharma-I, Advocate for the petitioner.

Mr. Kamaldeep S. Sidhu, Addl. A.G., Punjab

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HARINDER SINGH SIDHU, J (ORAL).

Civil Writ Petition No.9303 of 2014 was filed by the petitioners, who were applicants for the post of Medical Laboratory Technicians, with the grievance that they were wrongly declared ineligible (except petitioner no.10 therein) for the post of Medical Laboratory Technician. The writ petition was disposed of vide order dated 28.05.2014 in terms of the statement made by learned State Counsel that appointments to the post of Medical Laboratory Technician shall be made after considering the objections raised by the candidates in the zone of consideration pertaining to their eligibility by passing a reasoned order. The petitioners were given liberty to supplement the objections already filed.

The instant contempt petition has been filed alleging that despite undertaking given by learned State counsel, the order in question has not been complied with and that the appointments have been made before considering and disposing of the representations filed by the present petitioners with regard to their eligibility.

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Affidavit of Dr. Karanjit Singh, Director, Health & Family Welfare, Punjab, Chandigarh has been filed on behalf of respondent No.2, in which it has been stated that the orders passed by this Court has been complied with. It is stated that in compliance of the orders, the representations filed by the petitioners were duly considered and rejected vide order dated 09.09.2014. This was done before the appointments were made on 11.09.2014.

Learned counsel for the petitioners has stated that the speaking orders were sent to the petitioners on 04.10.2014 as is evident from the postal stamps affixed on envelopes, received by them. He states that if the orders were actually passed on 09.09.2014, then there is no reason for them to have been dispatched after so much delay. He contends that the only reasonable inference is that the said orders were passed after receipt of notice issued in the present contempt petition.

I cannot persuade myself to agree with the contention raised by learned counsel for the petitioner. Merely because the orders were dispatched to the petitioners later it does not mean that the order in question was not passed on 09.09.2014.

Hence I am of the view that the order passed by this Court has been complied with.

Dismissed as having become infructuous.

Rule discharged.

Needless to say that the petitioners shall have liberty to challenge the order passed by the respondent.

09.01.2015
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(**HARINDER SINGH SIDHU**)
JUDGE

