

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

CWP No. 11117 of 1995(O&M)

Date of decision :29.04.2015

Suresh Chander and another Petitioners

versus

**The Jind Central Cooperative Bank Ltd.
and another Respondents**

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. R.K.Malik, Sr. Advocate with
 Mr.Kuldeep Sheoran, Advocate for the petitioner.

 Mr.G.S.Sandhu, Advocate for the respondents.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

By this writ petition the petitioners have challenged the selection of respondent No. 2 as Junior Accountant in the respondent No.1.

The brief facts are that respondent No.1 advertised three posts of Junior Accountants on 22.04.1981. Ultimately the selection of two of the three Junior Accountants was challenged by way of CWP Nos.870 of 1982 and 871 of 1982 on the ground that their relatives were sitting on the managing committee. By judgment and order dated 8.8.1988 the said writ petitions were allowed in the following terms:-

“... The selection of other appointees is not disturbed. Respondent No.1 in all these four cases is directed to consider the petitioners along with the other candidates who had applied for various posts for which the petitioners had applied. It shall not issue any fresh advertisement or invite applications but will call all those applicants who had applied for the various posts for which the petitioners had applied, for interview and then make selections according to law. The writ petitions are disposed of accordingly. We, however, leave the parties to bear their own costs.”

The selected candidates filed SLP Nos. 1780-82 of 1989.

The same were also disposed of by judgment and order dated 24.02.1992. Thereafter respondent No.1 is stated to have issued three public notices in various National newspapers and proceeded to make the selection.

The precise challenge made in this writ petition is that in view of the judgment of this Court it was incumbent upon respondent No.1 to have sent letters to all the previous applicants and merely by giving advertisement in the newspaper the requirement stipulated by this Court could not be satisfied.

In my considered opinion this writ petition cannot succeed. Though there was no illegality if respondent No.4 had decided to send individual letters to all the applicants, yet its action in giving public advertisements on three occasions in national newspapers cannot be said to be such an infraction of the direction of this Court that the selection made more than 20 years ago has to be now set aside.

Learned senior counsel has very fairly accepted that he is not in a

position to certify if the petitioners are now even interested in being considered for the said posts after long lapse of 20 years. In the totality of circumstances I regret my inability to grant any relief to the petitioners.

The petition is dismissed.

Since the main case has been decided, the Civil Misc. Application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

April 29, 2015
sunita