

**CWP No.15381 of 2010(O&M)**

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

**CWP No.15381 of 2010(O&M)**

**Date of decision : 09.07.2015**

**Jagan Singh and Ors.**

**..... Petitioners**

**versus**

**State of Haryana and Ors.**

**..... Respondents**

***CORAM : HON'BLE MR. JUSTICE AJAY TEWARI***

**\*\*\***

Present: Mr. R.S. Sihota, Sr. Advocate with  
Mr. B.R. Rana, Advocate for the petitioners.

Ms. Shruti Goyal, AAG, Haryana.

Mr. Kuldeep Tiwari, Advocate for respondent No.4.

**\*\*\***

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)**

**CM No.6181 of 2015**

Learned counsel for the petitioners states that he does not oppose the application for amendment.

Amended written statement is taken on record.

**CWP No.15381 of 2010**

The claim of the petitioners is that they were appointed as Data Entry Operators by the District Red Cross Society, Faridabad under HARIS Project. After they had worked for a number of years the said project was transferred to District Information and Technology Society, Palwal and they were allowed to join.

The case of the respondents on the other hand is that the only reason as to why the petitioners could not be appointed was that they had submitted their Experience Certificates respectively beyond the period of 15

days.

Learned Senior counsel has argued that the Experience Certificates, which were required to be submitted, were with the District Red Cross Society and the respondents well knew their experience and as a matter of fact, even respondent No.2 has mentioned in his written statement that the entire record of the petitioner, which included the details of the experience of the petitioners, has been forwarded by the District Red Cross Society to the District Information and Technology Society, Palwal, which fact is not denied.

In these circumstances, I feel that the action of the respondents in not appointing the petitioners cannot be strictly said to be justified. No doubt, the petitioners were required to submit their Experience Certificates but once the experience of the petitioners was before them, the respondents should have appointed the petitioners. It is not disputed that the posts are lying vacant there and the Project is still in operation. Therefore, I deem it in the interest of justice to direct respondent Nos.3 & 4 to issue appointments to the petitioners during the period, the Project is in operation.

Let the petitioners be appointed afresh within a period of one month from the date of receipt of a certified copy of this order.

Petition stands allowed.

**July 09, 2015**  
**manoj**

**(AJAY TEWARI)**  
**JUDGE**