

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

CWP No. 13419 of 2012
Date of decision: 04.11.2015

Surjeet Singh

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Shekhar Verma, Advocate,
for the petitioner.

Mr. Pankaj Mulwani, DAG, Punjab.

Mr. Kanwaljit Singh, Sr. Advocate,
with Mr. Ajaivir Singh, Advocate,
for respondents no. 4 to 17.

G.S.SANDHAWALIA, J. (Oral)

The petitioner seeks quashing of the final selection list
(Annexure P-4) of the Police Constables for District Sangrur.

On 22.09.2015, the following order was passed:-

“Counsel for the petitioner contends that the petitioner belongs to Scheduled Caste category (Ramdasia) and has scored 28 marks and is at Sr.No.4 on the waiting list, as per Table A on page 15 of the petition. The selected Scheduled Caste candidates in Table B are having marks ranging from 29 to 31, which are more than the marks obtained by the General Category candidates, who have only secured maximum marks, i.e., 29.25. Counsel, thus, submits that the candidates in Table B should have firstly consumed the 6 seats of the General category and thus, the petitioner would come within the zone of consideration. The

petitioner has, admittedly, been pursuing his legal remedies since the year 2012 and no other candidate has come forward on this ground.

Faced with this situation, counsel for the State prays for time to file better affidavit and to see whether the petitioner can be adjusted, in the meantime.

Adjourned to 04.11.2015.”

In pursuance of the said order, short affidavit of Sh. Pritpal Singh Thind, PPS, Senior Superintendent of Police, Sangrur has been filed and it has been deposed that the case of the petitioner has been considered at the CPO level and it has been decided to accept the claim of the petitioner. Communication dated 02.11.2015 (Annexure R-1) from the Director General of Police to the Advocate General, Punjab has also been appended wherein, the following has been mentioned:-

“It is submitted that on examination of the case of the petitioner. It has been decided to accept his claim. The petitioner (Surjit Singh s/o Sh. Gurmail Singh) will be appointed against reserved vacancy of Scheduled Tribe-II category. The action regarding his appointment as Constable will be taken by SSP/Sangrur.

It is requested to kindly inform the Hon'ble High Court when the case is listed for hearing i.e. 4.11.2015.”

The reference to Scheduled Tribe-II is obviously by mistake and reference should have been made to the Scheduled Caste-II (Ram Dasia).

In such circumstances, in view of the affidavit filed, the present writ petition is disposed of with a direction to the respondents to act upon the said communication within a period of two months from the date of

receipt of certified copy of the order. Needless to say that since the petitioner was not at fault, the petitioner will be given all notional benefits to avoid further litigation.

04.11.2015
shivani

(G.S. SANDHAWALIA)
JUDGE