

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

CWP No.11204 of 2015
Date of decision: 16.07.2015

Rupinder Kaur

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. Sunny Singla, Advocate for the petitioner.

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?

ARUN PALLI J. (Oral)

A writ in the nature of mandamus is prayed for, so as to direct the respondents to consider the claim of the petitioner for appointment to the post of Senior Laboratory Attendant (SLA), as the name of the petitioner still figures in the merit list and many post are still lying vacant. The respondents issued an advertisement dated 23.09.2009 and applications were invited for appointment to 7654 School teachers on contract basis including 450 posts of Senior Laboratory Attendant in the non-teaching cadre. Petitioner being eligible competed for selection against the post of Senior Laboratory Attendant in the General Category. In the combined merit list of male and female, issued by the respondents, petitioner was assigned a position at serial No.437. Pursuant to a public notice issued by the respondent-

department, candidates, who had applied for the post in the non-teaching cadre, were asked to participate in the counselling on different dates. Eventually, candidates from merit position No.301 to 434 were called for counselling that was held on 09.07.2011 and rest of the candidates were not considered. Concededly, the merit position of the petitioner was at 437. Out of 300 candidates, who were called in the first counselling, only 158 were selected and 25 in the second counselling. No further list for counselling was notified by the department. Since there was 450 posts of Senior Laboratory Attendants (SLA), the posts which fall in the General Category as per the reservation policy are 225. However, the department only selected 183 candidates in the General Category and thus 42 posts remained unfilled, which is against the rules and instructions issued by the Government. Petitioner purports to have made numerous representations to the respondents to conduct the counselling as regards the other candidates vis-à-vis the posts that remained unfilled. But to no avail. So much so, prior to the institution of this petition, petitioner even represented to respondent No.1, vide a representation dated 21.05.2014 (Annexure P6), but that too has failed to evoke any response.

Learned counsel for the petitioner submits that let this petition, at this stage, be disposed of only with a direction to the respondents, to consider and decide the representation

(Annexure P6), submitted by the petitioner, within a specified time.

That being so, and without expressing any opinion on merit, this petition is disposed of with a direction to the respondents to consider and decide the claim of the petitioner, as set out in his representation dated 21.05.2014 (Annexure P6), strictly in accordance with law, within a period of three months from the receipt of certified copy of this order. Needless to assert, a comprehensive order shall be passed, assigning reasons in support of the decision arrived at.

July 16 2015
Rajan

(Arun Palli)
Judge