

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CIVIL WRIT PETITION NO.14997 of 2013

RESERVED ON: FEBRUARY 12, 2015

DATE OF DECISION: APRIL 09, 2015

Sunil son of Satpal

.....Petitioner

Versus

The State of Haryana and others

.....Respondents

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA

Present: Mr.Munish Gupta, Advocate for the petitioner.

Mr.Ravi Pratap Singh, Assistant Advocate General,
Haryana.

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TEJINDER SINGH DHINDSA, J.

The petitioner has filed the instant petition praying for the issuance of a writ in the nature of mandamus for directing the respondents to offer him appointment to the post of Constable (General Duty).

2. Learned counsel for the parties have been heard.
3. The uncontroverted facts are that respondents had advertised 5456 posts of Constables (General Duty) out of which 95 posts were to be filled up from the reserved Backward Class – A category. Petitioner had applied for the post under the BC-A category and had participated in the process of selection. In the result that had been declared, the name of the petitioner figured at Serial No.96 and, accordingly, he was placed in the waiting list at Serial No.1.

4. The entire case set up on behalf of the petitioner is that since Pawan Kumar son of Rai Singh, respondent No.3 who was at Serial No.75 in the list of selected candidates had not been issued appointment letter on account of having been involved in a criminal case, consequently, the petitioner who is at Serial No.1 in the waiting list should be offered appointment to the post in question.

5. After issuance of notice of motion, in the response filed on behalf of the State, a stand has been taken that since Pawan Kumar, respondent No.3 herein has filed **Civil Writ Petition No.4568 of 2013 (Pawan Kumar son of Sh.Rai Singh v. The State of Haryana and others)** impugning the action of denying him appointment and which is still pending adjudication, as such the matter has been kept in abeyance to await the decision of Civil Writ Petition No.4568 of 2013.

6. Since this Court vide order, dated 8.4.2015, has allowed Civil Writ Petition No.4568 of 2013 and has issued directions to issue appointment letter to Pawan Kumar (respondent No.3 herein), the claim of the present petitioner, namely, Sunil son of Satpal seeking appointment to the post of Constable (General Duty) against reserved BC-A Category on the basis of being at Serial No.1 in the waiting list does not survive.

7. Writ petition is, consequently, dismissed.

(TEJINDER SINGH DHINDSA)
JUDGE

APRIL 09, 2015
SRM

Note: *Whether referred to the Reporter? (Yes/No)*