

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

**CWP No.14743 of 2015
Date of decision: 31.07.2015**

Rohtash and others ... Petitioners

Vs.

State of Haryana and others ... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

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

Present:- Mr. Suryakant Gautam, Advocate
for the petitioners.

Mr. Hitesh Pandit, Addl.A.G.Haryana.

AMIT RAWAL J. (Oral)

Challenge in the present writ petition is to the advertisement dated 24.06.2015, Annexure P-4, and advertisement dated nil, Annexure P-3, whereby, the respondents-State have invited the applications for appointment of Canal Patwaris from the category of retired Patwaris upto the age of 62 years and 65 years, respectively.

Mr. Suryakant Gautam, learned counsel for the petitioners submits that all the petitioners had worked as Canal Patwari on contractual basis and their services were dispensed with on 30.09.1997, 31.12.2014, 11.06.2014 and 31.03.2014 and therefore, they had preferential right. Even the State could not give employment

to the retired candidates and therefore, the said action of the respondents is arbitrary and illegal.

This Court on 24.07.2015 by noticing the aforementioned facts, had called upon the State to seek information as to whether the advertisement for recruiting the regular Canal Patwaris has been issued or not and how may retired Patwaris had been taken on contract basis.

Mr. Hitesh Pandit, learned Additional Advocate General Haryana has informed this Court that in pursuance to the aforementioned advertisement, from Pundary 3 retired Canal Patwaris had already been given appointment on contract basis and 5 young and qualified candidates, who have diploma from the Department of Irrigation Haryana and experience of job. He further submits that the State had already sent a requisition to the Haryana Staff Selection Commission for filling up 891 posts of Canal Patwaris and advertisement in this regard has also been issued on 08.07.2015, whereby, applications have been invited.

On instructions from Mr.Siri Ram, Deputy Superintendent, Pundary Water Services Division Kaithal, Mr. Pandit submits that the aforementioned retired Canal Patwaris shall be retained in service till the process of regular appointment is initiated and completed and the same would be completed, as early as possible, preferably within a period of 10 months and in the meantime, the State would not make any appointment on contract basis. He further submits that the

services of the retired Canal Patwaris, who, have been taken into job, in pursuance to the advertisements, ibid, shall be dispensed with after the process of regular appointment is completed.

This order of mine would not preclude petitioners in submitting applications in pursuance to advertisement dated 08.07.2015.

With the aforementioned undertakings, writ petition stands disposed of.

**(AMIT RAWAL)
JUDGE**

July 31, 2015
savita