

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

CWP No. 4332 of 2012 (O & M)

Date of decision: 04.11.2015

(1) Veerpal Kaur and othersPetitioner(s)

Versus

State of Punjab and others ...Respondent(s)

CWP No. 19176 of 2012

(2) Monika RaniPetitioner(s)

Versus

State of Punjab and others ...Respondent(s)

CWP No. 7044 of 2012

(3) Baljit Kaur and othersPetitioner(s)

Versus

State of Punjab and others ...Respondent(s)

CWP No. 8722 of 2012

(4) Sukhraj Kaur and anotherPetitioner(s)

Versus

State of Punjab and others ...Respondent(s)

CWP No. 8958 of 2012

(5) Amandeep KaurPetitioner(s)

Versus

State of Punjab and others ...Respondent(s)

CWP No. 25020 of 2014

(6) Amandeep KaurPetitioner(s)

Versus

State of Punjab and others

...Respondent(s)

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

Present: Mr. Kamaldip Singh Sidhu, Advocate,
Mr. Amit Chopra, Advocate,
Mr. Hari Om Sharma, Advocate,
Mr. Kamaljeet Singh Sidhu, Advocate,
Mr. Surinder Garg, Advocate,
Mr. G.S. Nahel, Advocate,
for the petitioners.

Mr. Harsimran Singh Sethi, Addl. A.G., Punjab.

Mr. Kamal Chaudhary, Advocate,
for Mr. A.S. Jattana, Advocate.

Mr. B.S. Sidhu, Advocate.

G.S.SANDHAWALIA, J. (Oral)

This order shall dispose of 6 writ petitions. For reference, ***CWP No. 4322 of 2012, Veerpal Kaur and others vs. State of Punjab and others*** is being taken up.

The writ petitioners, in the present set of cases, seek quashing of the lists dated 04.02.2012 and 03.02.2012 (Annexures P-9 and P-10) whereby, merit list of lady constables was prepared for Bathinda Zone.

The arguments were heard on 06.10.2015 in the present set of cases and the following order was passed:-

“Arguments partly heard.

To come up on 19.10.2015, for remaining arguments.

It transpires that admittedly as per the advertisement (Annexure P1) and the terms of the instructions, the eligibility criteria was relaxed regarding the physical efficiency test. Therefore, a fresh set of ineligible candidates were allowed to participate at a subsequent point of time on the basis of

the directions issued by the official-respondents, in the midst of the selection process. The said ineligible candidates have, thus, on the basis of their educational qualifications and the marks obtained in the interview, stolen a march over the original candidates who had made the cut and would have been selected against the 600 vacancies for Bathinda zone since they were lessor in number than the ones advertised. Since the State had issued directions, thereafter, for changing the fixed criteria and the ineligible persons (private respondents) have been selected over and above them, who have unnecessarily stolen a march over the eligible petitioners and would, thus, have to be shunted out.

Faced with this situation, counsel for the State prays for time to address arguments as to whether the change of criteria can be justified, in the facts and circumstances and whether or not the petitioners, who had approached this Court immediately in the year 2012, after the result had been declared in December, 2011, can be adjusted against any vacancies available.

Photocopy of this order be placed on the record of each connected case.”

Today, Mr. Harsimran Singh Sethi, Addl. A.G., Punjab has placed on record the letter dated 03.11.2015 of the Director General of Police (Litigation Branch, CPO) wherein, in pursuance of the above said order, request has been made that the writ petitions be disposed of in terms of the order dated 31.01.2013 passed in CWP No. 773 of 2012 titled as Baljeet Kaur and others vs. State of Punjab and others. The said letter is taken on record as Annexure 'A'. In Baljit Kaur's case (supra), the following directions were issued:-

“In view of the above, the present writ petition is

allowed. Direction is issued to the respondents to consider the claim of the petitioners for appointment as per the initial criteria which was advertised on 3.10.2011 and if the petitioners make the grade, as per the said criteria, out of the candidates who had cleared the second stage, as per the then fixed criteria, appointment letters be issued to them within a period of one month. It goes without saying that the petitioners shall also be entitled to all the consequential benefits, except for the financial benefits.”

In such circumstances, the present writ petitions, in view of the letter dated 03.11.2015, are allowed in the same terms as above.

04.11.2015
shivani

(G.S. SANDHAWALIA)
JUDGE