

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

**CWP-5695-2015 (O&M)
Date of decision : 27.03.2015**

Naresh Kumar and another

..... Petitioners

versus

State of Haryana and another

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present: Mr. Vivek Khatri, Advocate for the petitioners.

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?

AJAY TEWARI, J. (Oral)

The petitioners had filed a petition bearing CWP No. 6575 of 2014 which was disposed of on 4.4.2014 in the following terms:-

“ Prayer in the present petition is that as per order passed by Hon'ble the Apex Court in ***Special Leave to appeal (Civil) CC 17021-17022/2013***, the petitioners were given relaxation in age to the extent of services rendered by them under the Tourism Corporation and the preference was also given to them over outsiders, in case, they are otherwise equally situated.

Learned counsel for the petitioners submits that in spite of directions issued by Hon'ble the Apex Court in the said SLP and also giving representation (Annexure P-7) by the petitioners, they are not being given preference.

Admittedly, neither the selection has been finalized nor the candidature of the petitioners has been rejected. Therefore, it cannot be said that the claim of the petitioners has not been considered as per directions issued by Hon'ble the Apex Court in the aforesaid SLP. It is also not disputed that the selection process is under progress and the same *has* not been finalized so far. It is expected that the authorities concerned will consider the order of Hon'ble the Apex Court dated 04.10.2013 while finalizing selection. There is nothing on record which infers that the consideration is not there in view of the directions issued by Hon'ble the Apex Court.

The present petition is disposed of with a direction to the respondents to consider the case of the petitioners as per

directions issued by Hon'ble the Apex Court. It is also directed that the respondents shall decide the representation of the petitioners, which is pending, by passing a speaking order in accordance with law.”

The grievance raised by learned counsel is that even despite this the respondents have not considered the representation of the petitioners. On being asked if the selection process has been finalised, he has informed that the selection process has not been finalised.

In the circumstances there is no change in the position which was obtaining on 4.4.2014 (when CWP No.6575 of 2014 was decided) and today. No relief can be granted to the petitioners at this stage.

Petition is dismissed.

(AJAY TEWARI)
JUDGE

March 27, 2015
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