

COCF No. 3198 of 2015

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

COCF No. 3198 of 2015

Date of Decision: November 18, 2016

Daler Singh

...Petitioner

Versus

Sh. Kamal Garg, Secretary

...Respondents

CORAM: HON'BLE MR. JUSTICE AUGUSTINE GEORGE MASI

Present: Mr. Ramesh Chopra, Advocate
for the petitioner.

Mr. Nilesh Bhardwaj, DAG, Punjab.

AUGUSTINE GEORGE MASI, J. (Oral):

Counsel for the parties are *ad idem* that the legal notice as served by the petitioner has been decided vide order dated 06.04.2016 (Annexure R-1), wherein, it has been mentioned that the said order shall be reviewed in case LPA No.1495 of 2015 is decided.

Counsel for the petitioner has placed on record a copy of order dated 27.09.2016 passed by the Division Bench of this Court in LPA No.1495 of 2015, titled as 'Mohit Chhabra & others Vs. State of Punjab & others', which reads as follows:-

“The controversy pertains to appointment of Clerks pursuant to advertisement No.2 of 2013 whereby 1192 posts of Clerks were advertised. Since the appellants have taken a categorical stand that 181 candidates who were selected and offered appointment, did not join and

such posts have remained unfilled, let the competent Authority ascertain the correct facts and take a holistic view as to whether the vacancies which could not be filled up due to non-joining of selected candidates, can be offered to the next candidates strictly in order of merit and in accordance with law.

It is made clear that these directions are with reference to 1192 advertised posts only. The subsequent vacancies cannot be added for the purpose of compliance of these directions.

While considering the claim, merit shall be the sole criteria irrespective of the fact whether the candidate belongs to open category or reserved category.

The needful be done before the next date of hearing.

List on 12.12.2016.

Copy of the order be given to the learned State counsel for information and necessary compliance.”

In the light of the above, the claim of the petitioner be also considered as per the said direction. The contempt petition stands disposed of with above observations.

Rule issued to the respondent stands discharged, subject to above.

(AUGUSTINE GEORGE MASIH)
JUDGE

November 18, 2016

Harish

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No