

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

CWP No. 1275 of 1993

Date of decision: 14.07.2016

KAMALJIT AND ANOTHER

...Petitioners

V/s.

PUNJAB MANDI BOARD AND OTHERS

...Respondents

CORAM: HON'BLE MRS. JUSTICE DAYA CHAUDHARY.

Present: Mr. Aseem Rai, Advocate for the petitioners.

Mr. P.K.S. Gill, Advocate for respondents No. 1 and 2.

DAYA CHAUDHARY, J. (Oral)

The petitioners have approached this Court by way of filing the present petition under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari/mandamus or any other appropriate order or direction quashing the impugned orders Annexures P-1 and P-2 and directing the respondents not to terminate or revert the petitioners and not to make any recovery from them.

The case came up for hearing on 25.03.2015 and respondent-Board was directed to file an affidavit of a responsible officer to the effect that whether the petitioners have rendered satisfactory service while serving the respondent-Board under the interim order passed by this Court. Pursuant thereto, an affidavit was filed in the Court which is on record wherein it has been mentioned that as per record, there is no enquiry or chargesheet pending against the petitioners and both have rendered satisfactory service while serving respondent-Board under the interim order passed by this Court.

Learned counsel for the petitioners has brought to the notice of this Court the decision rendered in *Manjit Singh and others V/s. State of Punjab and others, CWP No. 5143 of 2014*, decided on 08.10.2015 wherein while disposing of the petition a direction was issued to respondent to finalize and notify the rules stated to be in drafting process. It was further directed to consider the request of the petitioners and other eligible employees of the Mandi Board for being promoted/appointed to the post of Electricians and not to make any direct appointments against that post is made until such consideration. Learned counsel for the petitioners also submits that case of the petitioners is at par with the petitioners who had filed the above said petition. The relevant portion of the order passed in the said order reads as under: -

“In view of the foregoing circumstances, we dispose of the writ petition with the directions to the respondent No. 3 to finalize and notify the rules, stated to be in drafting process, within three months and immediately after the rules are finalized and notified, to consider requests of the petitioners and other eligible employees of the Mandi Board for being promoted/appointed to the posts of Electricians and not to make any direct appointments against that post is made until such consideration.

No costs.”

In view of the submissions made by learned counsel for the petitioners and by considering the fact that the petitioners are working since long and that their service is satisfactory, the respondent-Board is directed to consider the case of the petitioners as per newly amended rules to the posts of Electricians and not to make necessary appointments against said

post till such exercise is done.

The present writ petition is accordingly disposed of.

(DAYA CHAUDHARY)
JUDGE

July 14, 2016
Divyanshi