

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

CWP No.5715 of 1999 (O&M)

Date of Decision: 19.5.2016

Bhupinder Pal Singh

...Petitioner

Versus

Punjab State Electricity Board

...Respondent

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.Vaibhav Choudhary, Advocate for the petitioner

Mr.S.S.Mattewal, Advocate for the respondent

1. To be referred to the Reporters or not?
2. Whether the judgment should be reported in the Digest?

RAJIV NARAIN RAINA, J. (Oral)

1. The claim of the petitioner on the date of petitioning this Court rested on the question whether there was a back-log of reserved vacancies carried forward to the recruitment process for appointment to the post of Assistant Engineers (Electrical) from the quota reserved for children/grandchildren of Freedom Fighter. The petitioner draws strength from instructions issued by the Government of Punjab vide letter dated 30th June, 1983. The recruitment process was initiated vide advertisement issued in the Tribune Newspaper on 22nd February, 1996.

2. The Punjab State Electricity Board has contested the case by filing reply asserting that there was no back-log of reserved vacancies carried forward to the direct recruitment process, and therefore, the claim of the petitioner is not tenable. There is no categoric rebuttal to this assertion by the petitioner. Therefore, the petitioner has not been able to discharge his burden

to bring his case within the theory of back-log/carry forward method of filling reserved vacancies against quota earmarked for the reserved category in public employment through direct recruitment initiatives. In the absence of rebuttal of this basic defence plea, no interference in this matter is called for selection made 20 years ago when the rights of selected candidates have settled long ago, then it is not possible for this Court to disturb that process. Any directions issued may cause a domino effect which might unsettle settled things. I find no merit in this petition which is accordingly dismissed.

19.5.2016
MFK

(RAJIV NARAIN RAINA)
JUDGE