

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

[1] Civil Writ Petition No.10987 of 2015
Date of Decision: April 08, 2016

Shamsher SinghPetitioner

versus

Union of India and othersRespondents

[2] Civil Writ Petition No.12067 of 2015

Manpreet SinghPetitioner

versus

Union of India and othersRespondents

[3] Civil Writ Petition No.15310 of 2015

Sukhwinder SinghPetitioner

versus

Union of India and othersRespondents

[4] Civil Writ Petition No.25849 of 2015

Parveen KumarPetitioner

versus

Union of India and othersRespondents

CORAM: HON'BLE MR.JUSTICE SURYA KANT.
HON'BLE MR.JUSTICE P.B.BAJANTHRI.

Present: Mr.Barjesh Mittal, Advocate,
Mr.Rohiteshwar Singh, Advocate,
for the petitioners.
Mr.Karan Bhardwaj, Advocate, for UOI.

:-

- 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?

Surya Kant, J. (Oral)

The order shall dispose of Civil Writ Petition Nos.10987, 12067, 15310 and 25849 of 2015 as the point in issue involved in these cases is similar.

For brevity, the facts are being extracted from Civil Writ Petition No.10987 of 2015.

The controversy pertains to selection and appointment of Civilian Motor Drivers by the respondent-authorities. After their appointment, the services of some of the drivers were dispensed with on the ground that they did not possess the requisite experience of driving heavy vehicles as on the cut-off date before their selection. The Tribunal set-aside some of such termination orders and reinstated the applicants though without payment of back wages. Those orders were upheld by this Court in a bunch of writ petitions including CWP No.2088 of 2015 (Union of India and others versus Central Administrative Tribunal, Chandigarh Bench and others) decided on 23.03.2015, after obtaining a report from the authorities with regard to satisfactory work and conduct of the drivers.

The petitioner in this case also approached the Tribunal questioning the termination of his services but his O.A. has been dismissed.

In view of the fact that the orders passed by the Tribunal reinstating some of the drivers have been upheld and the authorities did not further challenge those orders which have attained finality, we are satisfied that the question of eligibility of the petitioner(s) in these cases, with reference to the requisite experience of driving heavy vehicles, requires re-consideration by the Tribunal. Consequently, the writ

CWP No.10987 of 2015 and connected cases [3]

petition(s) is/are allowed; the impugned order(s) passed by the Tribunal is/are set-aside and the matter is remitted to the Tribunal for afresh adjudication.

The parties are directed to appear before the Tribunal on 02.05.2016.

[SURYA KANT]
JUDGE

April 08, 2016
mohinder

[P.B.BAJANTHRI]
JUDGE