

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

**CWP No.25987 of 2014
Decided on: 21.11.2016**

Gurwinder Singh

.... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Sumit Jain, Advocate,
for Mr. Pankaj Jain, Advocate,
for the petitioner.

Mr. Vaibhav Sharma, DAG, Punjab.

JASWANT SINGH, J. (Oral)

The petitioner was appointed as a Clerk in the office of DPI Colleges, Punjab vide appointment letter dated 11.11.2006 pursuant to the recommendations dated 18.12.2001 (Annexure P-1) by the Subordinate Selection Board, Punjab. The petitioner could not be appointed in the year 2001/2002 due to the enforcement of the Model Code of Conduct leading to him filing CWP No.17225 of 2004, which was decided on 25.08.2006 directing the issuance of the appointment letter.

In the present petition, the challenge is laid to the order dated 20.10.2014, whereby, his claim for placing in the higher grade of Junior Assistant against 50% of posts of Clerks has been declined on the ground that he did not fulfill the five years' experience as Clerk.

It is claimed that the delay in offer of appointment cannot be attributed to the petitioner and, therefore, his experience has to be counted with effect from the period other similarly situated Clerks, who were appointed in the year 2001/2002.

Upon notice, respondent has filed a reply, wherein, it is stated that the present writ petition has become infructuous in light to subsequent order dated 25.03.2015 (Annexure R-2/1) by the DPI whereby, the petitioner has been awarded the scale of Junior Assistant w.e.f. 01.02.2007.

In view of the above, the present petition is dismissed as infructuous.

21.11.2016
Dinesh

(JASWANT SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No