

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

**119            RA-CW-244-2016 in  
                 CWP-1219-2014**

**AJAY KUMAR & OHTERS  
V/S  
STATE OF PUNJAB & ANOTHER**

Present:     Mr. H.C. Arora, Advocate  
                 for the applicant-petitioners.

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The present application has been filed for review of the order dated 08.07.2016.

Notice in the application.

Mr. S.S. Chandumajra, Addl. AG, Punjab accepts notice.

The present writ petition was disposed of in view of the detailed order of even date passed in ***CWP No.23055 of 2013 'Sonia Sharma and others Vs. State of Punjab and another'***. In the said case, the direction was issued that in view of the fact that the similar persons who were in the wait list had been given the benefit by operating the wait list, therefore the petitioners would also be entitled for the same relief. The relevant portion reads as under:-

*“Accordingly, keeping in view the above discussion, the present writ petitions are allowed. The petitioners and other will be offered appointment letters on the strength of being in the wait list for the advertisement in question for the subject of Hindi and Science within a period of 3 months from the date of receipt of certified copy of this order.”*

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The same was ordered on the basis of the judgment of the Apex Court in '*Shankarsan Dash Vs. Union of India*' 1991 (3) SCC 47 that the State had no right to act in an arbitrary manner.

Vide the present application, which has been filed, it has been mentioned that the petitioners were not in the wait list and have been claiming such unconsumed posts and they are liable to be appointed on the strength of their merit. In the index reference was made to CWP No.23055 of 2013 which pertained to the wait list category.

Resultantly, it is clarified that in the present writ petition no relief can be granted to the petitioners, rather the petition was allowed on the ground that the same was similar to the earlier one and been got tagged with the allegedly connected case. Accordingly, costs of ₹5,000/- are imposed on each petitioner. The State shall make efforts to recover the same.

**SEPTEMBER 05, 2016**  
*Naveen*

**(G.S. SANDHAWALIA)  
JUDGE**