

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

**C.O.C.P. No.732 of 2015
Date of Decision: 30.01.2017**

Ashwani Kath and others

..... Petitioners

Versus

Dr. Tejinder Kaur Dhaliwal, Chairperson,
Punjab School Education Board and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Ms. Harmanpreet Kaur (Simmi), Advocate for the petitioners.

Mr. J.S.Puri, Advocate for the respondents.

JASWANT SINGH, J. (Oral)

Three petitioners had challenged the selection and appointment to the post of Library Attendant made by the Punjab School Education Board. The CWP No.4899 of 2013 along with a bunch of petitions were allowed vide order dated 20.02.2014 passed by learned Single Bench, whereby the selection to 31 posts of Library Attendant was set aside. Further directions were issued to re-conduct the selection process based on the guidelines enumerated in Para 37 of the order dated 20.02.2014 **(Annexure P-1)**.

The petitioners filed the present contempt petition alleging that the needful, in terms of the order dated 20.02.2014 **(P-1)**, has not been undertaken.

Upon notice, the respondents have filed a reply, wherein it is asserted that a number of LPAs were filed aggrieved against the order **(P-1)**, wherein *status quo* was directed to be maintained. Thus the justification for non-compliance of the directions of the order **(P-1)** have

been furnished.

At the time of hearing, learned Counsel for the respondent(s)/ Board submits that learned LPA Bench vide judgment dated 20.07.2016 has partly allowed the appeal filed by the Board, as also the selected and appointed candidates, whereby no fault has been found with the selection process adopted by the Selection Committee except the allotment of marks for rural areas' candidates. The appellants/selected candidates have not worked since their appointments in 2011 have been protected from any ouster on account of re-framing of the merit list by excluding the marks allotted for rural areas. Resultantly, only the *inter se* merit and thereby the seniority would get effected.

At the time of hearing, learned Counsel for the petitioners concedes that as far as the contempt is concerned, the same has become infructuous in the light of the orders passed by the LPA Bench on 20.07.2016.

Accordingly, the present contempt petition stands dismissed as infructuous.

January 30, 2017
Gagan

(JASWANT SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No