

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

**CWP No.8736 of 2014 (O&M)
Date of decision:12.10.2017**

Ranjeet Singh

... Petitioner

Vs.

State of Punjab & others

... Respondents

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Sukhdev Kamboj, Advocate for the petitioner.

Mr. Sukhbir Singh, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J.

Petitioner is aggrieved of an order dated 11.05.2012 (Annexure P-15) passed by the District Education Officer (S.E.), Kapurthala and whereby his claim to be permitted to join on the post of Punjabi Lecturer against the BC (male) category has been declined.

Counsel for the parties have been heard.

Apparently, the petitioner had earlier filed CWP No.1360 of 2012 raising a claim that in spite of having been selected as a Punjabi Lecturer and appointment letter dated 13.10.2009 having been issued, he has not been permitted to join his duties nor any posting order has been issued. Such writ petition was disposed of with a direction to the competent authority to examine his grievance and to dispose of the representation preferred by the petitioner by passing a speaking order.

It is in purported compliance of the order dated 24.01.2012 passed by this Court in CWP No.1360 of 2012 that the impugned order dated 11.05.2012 (Annexure P-15) has been passed.

Perusal of the impugned order would reveal that a stand has been taken that as per conditions mentioned in the appointment letter, the petitioner was obligated to furnish the medical certificate of fitness from Civil Surgeon, Kapurthala in terms of Rule 3.1 of the Punjab Civil Services, Volume I, Part I as also other original certificates of eligibility/other record but all such documents had not been furnished. Accordingly, a view has been taken that by virtue of efflux of a long period of time, the offer of appointment itself stood elapsed.

To the contrary, stand taken on behalf of the petitioner is that the requisite certificate of fitness had been issued from the Civil Surgeon, Ferozepur and the other documents/record as per conditions stipulated in appointment letter had been duly furnished within the time frame mentioned in the appointment letter.

The writ petition throws up disputed questions of fact. Such questions can only be gone into by way of leading evidence.

Under such circumstances, while declining to interfere in the instant writ petition, liberty is granted to the petitioner to avail of his alternate civil remedies, if so advised.

Writ petition is disposed of.

12.10.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

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| (i) Whether speaking/reasoned? | Yes |
| (ii) Whether Reportable? | No |