

NISHA YADAV & ORS V/S STATE OF HARYANA & ORS

Present: Mr.Vikas Kumar, Advocate for the
petitioner(s).

Mr.Harish Rathee, Sr.DAG, Haryana.

RA-CW-392-2015

Heard the review application No.392 of 2015.

Perusal of the order dated 25.11.2014, this Court has allowed the petition without examining consequential effect. It was noted that the petitioners have not impleaded selected candidates as party to the proceedings and in the absence of that if the order dated 25.11.2014 is to be implemented, the rights of the selected candidates would be affected. Therefore, there is an error apparent on the face of the record in the order dated 25.11.2014 passed by this Court.

At this juncture, learned counsel for the respondent-State in the review application submitted that there are number of vacancies so that respondents could be accommodated. Mere availability of vacancies does not entitle for the respondents to be appointed for the reasons that when such a arrangement is made there will be violation of Articles 14 and 16 of the Constitution of India.

Hence, the order dated 25.11.2014 is recalled and CWP No.17566-2000 is restored.

List the matter on 07.03.2017.

February 06, 2017
ANJAL

[P.B. BAJANTHRI]
JUDGE