

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

**Civil Writ Petition No. 10155 of 2014 (O&M)
Date of Decision: 05.07.2018**

Nishan Singh

..... Petitioner

Versus

State of Punjab and another

..... Respondents

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Kapil Kakkar, Advocate
for the petitioner.

Mrs. Anju Sharma Kaushik, Deputy Advocate General, Punjab
for the respondents and assisted by
Mrs. Harpreet Athwal, OSD, Litigation.

JASWANT SINGH, J. (ORAL)

Petitioner (Nishan Singh), while working as Science Master, had competed for the six (06) posts of Head Masters reserved for Physically Handicapped Category (Male) out of the 431 Head Masters/Head Mistresses advertised on 21.10.2006 (**Annexure P-1**) to be filled by direct recruitment. The petitioner could not secure appointment allegedly being outside the zone of appointment against the six/seven posts reserved for the category and filed a writ petition bearing *CWP No. 20535 of 2006*, which was disposed of by this Court vide order dated 23.08.2011 (**Annexure P-6**) with a direction to shift one Rajesh Sachdeva, belonging to the category of the petitioner to the Open/General Category in view of his marks being more than the last selected candidate in the Open/General Category.

The consequent speaking order dated 15.11.2013 (**Annexure P-7**) still rejected the case of the petitioner on the ground that the original merit lists were revised, whereby the said Rajesh Sachdeva could not be

accommodated or assigned merit position in the General Category, hence the present writ petition.

During the course of previous hearings, the respondent-Department was asked to reconsider the case of the petitioner.

At the time of resumed hearing today, the respondent-Department has placed on record a fresh appointment letter dated 04.07.2018, whereby the petitioner has been appointed as a 'Head Master' in Handicapped (Ortho) Category. The said appointment has been accepted by the petitioner. A copy of the appointment letter dated 04.07.2018 is taken on record.

It was transpires that the petitioner during the pendency of the litigation with the respondent-Department had been promoted to the post of Lecturer (Chemistry) on 16.05.2012 and, therefore, his pay has been ordered to be protected in the appointment letter dated 04.07.2018, however, he continues to be a Government employee since his initial employment as Science Master.

In view of above, it is conceded that no further adjudication is required in the present writ petition.

Disposed of.

July 05, 2018

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**(JASWANT SINGH)
JUDGE**

<i>Whether Speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>