

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

CWP No.15984 of 2017 (O&M)

Date of Decision: 18.1.2018

Rajinder Singh and others

... Petitioners

Versus

State of Haryana and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr. N.K.Kalia, Advocate for the petitioners

Mr.Harish Rathee, Sr.DAG, Haryana

RAJIV NARAIN RAINA, J. (Oral)

When this matter came up for hearing on 24th July, 2017, this
Court passed the following order:-

“Present: Mr.J.S.Jaidka, Advocate, for

Mr.N.K.Kalia, Advocate, for the petitioners.

Inter alia submits that the petitioners were selected in the recruitment process of 2004, against the posts of the Haryana State Industrial Security Force (HSISF) (Annexure P-1). However, they could not join as the Model Code of Conduct came into force on 17.12.2004. The State repealed the said Act on 25.06.2005. Now, vide advertisement dated 11.07.2017 (Annexure P-3), State is to engage 1500 Special Police Officers (SPOs) from the disbanded force and the candidates selected in the year 2004, against the recruitment of 819 Constables in HAP. The vacancies have been allocated for different districts, as per the advertisement. It is, accordingly, the contention of counsel for the petitioners that merely because the petitioners could not join whereas the other set of persons joined but never served and neither their

training was completed, could not put the petitioners to disadvantage. Reference is made to the interim directions issued by the Division Bench in CWP-10298-2006 titled Suresh Kumar Vs. The State of Haryana & others, on 07.08.2006 (page 9 of the paperbook) wherein in similar circumstances, opportunity was granted to participate in the selection process, subject to final decision.

Notice of motion.

Ms.Shruti Jain Goyal, AAG, Haryana accepts notice on behalf of the respondents. Adequate number of copies of the paperbook be supplied to her, during the course of the day.

List on 27.09.2017.

In the meantime, the respondents shall accept the applications of the petitioners, in pursuance of the advertisement dated 11.07.2017 (Annexure P-3). However, the result of the petitioners shall not be declared till further orders.”

Again when this matter came for hearing on 12th January, 2018, this Court directed that the result of the petitioner be brought in a sealed cover and the matter was posted for today to be shown in the Urgent List.

Mr.Rathee, learned counsel for the State of Haryana, on instructions from SI Sushil Kumar from the Office of DCP, Headquarter, Gurugram, states that since July, 2017, the petitioners have not turned up or shown their face pursuant to the advertisement dated 11th July, 2017, and therefore, the question of bringing the result in a sealed cover does not arise. If the petitioners are not interested in pursuing the remedy which

they have initiated in this Court, then this Court has no option, but to dismiss this writ petition.

Consequently, the writ petition is dismissed.

18.1.2018
MFK

(RAJIV NARAIN RAINA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No