

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.6189 of 2016

Date of Decision: 10.08.2018

Ajit Singh

.....Petitioner

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present:- Ms.Alka Chatrath, Advocate, for the petitioners.

Mr.Kiran Pal Singh, AAG, Haryana.

RITU BAHRI, J. (ORAL)

Petitioner is seeking quashing of the order dated 15.02.2016 (Annexure P-8) vide which the claim of the petitioner was considered for the post of PGT Geography by treating him eligible under BC category in compliance to the directions of this Court but refusing to issue appointment letter to him against the post of PGT Geography and further seeking directions to respondent No.2 to prepare the result as per the settled law by filing first the general and thereafter SC, BC category etc.

As per reply filed by the respondent No.2, petitioner has secured 45.78 marks and the last candidate under B.C. Category has secured 46.89 marks. It is further submitted in the written statement that 121 posts of the general category/open merits were not filled up on account of non-availability of the suitable candidates and last candidate for general category has secured 50.76 marks. There is no explanation as to why the reserved category were not considered for the said post keeping in view their merits.

A reference can be made to the judgment passed in CWP No.18134 of 2013 titled Leela Ram and another Vs. State of Haryana wherein, the candidate who belongs to BC category had given directions to re-do the entire select list in respect of PGT (Geography) while filling up all the 441 posts of general category with reference to merit irrespective of general or reserved category. Pursuant to the directions given by this Court, writ petition was disposed on 16.05.2017 and during the pendency of contempt proceedings in COCP No.3028 of 2017, the commission had recommended appointment of the petitioner vide letter dated 02.11.2017 (Annexure R-1) to the Government. The contempt petitioner is still pending for 14.09.2018.

Keeping in view that the Haryana Staff Selection Commission has recommended the appointment of Lila Ram and others after disposing of the writ petition on 16.05.2017, the present writ petition is also disposed of by giving directions to the respondent/Commission to consider the case of the petitioner for 121 posts of PGT(Geography) irrespective of fact where petitioner is belonging to general category as per merit obtained by him within a period of 3 months from the date of receipt of the copy of this order.

(RITU BAHRI)
JUDGE

10.08.2018

anil

Whether speaking/reasoned Yes/No

Whether reportable Yes/No