

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

CWP No.8764 of 2019

Date of decision : 08.05.2019

Kanta Devi and another

...Petitioners

Vs.

State of Haryana and others

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr. Keshav Gupta, Advocate,
for the petitioners.

Ritu Bahri, J. (oral)

Petitioners are seeking direction to the respondents to grant the benefit of seniority, back wages and all other consequential benefits at par with other candidates, who had joined pursuant to advertisement dated 20.07.2006 (Annexure P-1).

Learned counsel for the petitioners has referred to the advertisement dated 05.06.2015 (Annexure P-3), which was issued in continuation of the earlier advertisement dated 20.07.2006 (Annexure P-1), pursuant to which, petitioners had participated in the selection process for the posts of Lecturer in Hindi, but could not be given appointment. The said matter had gone upto the Hon'ble Supreme Court and vide judgment dated 01.05.2012 (**Poonam Rani vs. State of Haryana**, (2012) 6 SCC 596), a direction was given to issue fresh advertisement only qua those candidates, whose result had been destroyed. After participating in the selection process, petitioners were selected on the posts of Lecturers in Hindi.

the Supreme Court in Sanjay Dhar vs. J & K Public Service Commission and another, 2000 (8) Supreme Court Cases 182, to contend that pursuant to a selection process, if some candidates joined and other candidates are not able to join on account of destruction of records or other reasons and on subsequent selection, they are selected, they have to be given notional benefit of selection.

In the present case, petitioners are seeking correction of the seniority list (Annexure P-5) keeping in view the aforesaid judgment passed by Hon'ble the Supreme Court. With regard to their grievance, petitioners have made a detailed representation dated 29.06.2018 (Annexure P-6).

Notice of motion.

On the asking of the Court, Ms. Palika Monga, DAG, Haryana, accepts notice on behalf of the respondent-State.

At this stage, without expressing any opinion on the merits of the case, this petition is disposed of by giving direction to the respondents to look into the representation dated 29.06.2018 (Annexure P-6) and consider the objections of the petitioners with regard to tentative seniority list keeping in view the judgment passed by Hon'ble the Supreme Court in Sanjay Dhar's case (supra).

08.05.2019
ajp

(RITU BAHRI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No