

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

Sr. No.201

**CWP No.17597 of 2011
DECIDED ON: 11.09.2019**

DALVIR SINGH AND OTHERS

..PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: None for the petitioners.

Ms. Ambika Bedi, AAG, Punjab.

Mr. Anant Kataria, Advocate, for respondents No.2 & 3.

ARUN MONGA, J. (ORAL)

Petitioners herein seek issuance of a writ in the nature of mandamus directing the respondents to give them appointment as per their merit against six seats which are still lying vacant with the respondents.

2. Learned counsel for respondents No.2 & 3 submits that during the pendency of the writ petition, a bunch of matters filed by similarly situated persons has been disposed of vide judgment dated 29.11.2016 passed by Coordinate Bench of this Court.

3. My senior brother Jaswant Singh, J. rendered a judgment dated 29.11.2016 in CWP No.7921 of 2010, operative part thereof reads as under:-

“After hearing learned Counsel for the parties and keeping in view the aforesaid factual position and action taken by the PSPCL, this Court is of the opinion that no further adjudication is required qua the selection for the posts of Junior Engineers (Electrical) and Sub-Station Attendants made pursuant to the advertisement dated 12.01.2009 (P-2). Even the respondents, who were ousted from the zone of appointment on

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recasting of the merit list of the General Category have since been accommodated against the vacancies of the General Category available after the date of issuance of the advertisement, in the light of they having worked for more than 5-6 years.

In law, it cannot be disputed that the respondent-PSPCL is under a constitutional obligation to clear the backlog of the Reserved Categories as per the provisions of the 2006 Act without undue delay, lest it prejudices candidates belonging to the Reserved Categories on their being rendered ineligible due to becoming overage. It is hoped that the respondents would identify the backlog of vacancies on each cadre posts on a year to year basis and maintain proper records and take action in accordance with law for clearance of backlog of vacancies.

4. In view of the aforesaid directions, seniority list of all the Junior Engineers/Sub-Station Attendants-petitioners has been re-casted.
5. In the premise, the writ petition is disposed of as having been rendered infructuous with liberty to the petitioners to challenge their re-casted seniority, if they have any grievance in respect thereto.

11.09.2019

Ankur

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No