

Sr. No.212

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

**CWP No.16719 of 2015 (O&M)
Date of Decision: 28.05.2019**

Vishav Kumar

... Petitioner

Versus

State of Punjab and others

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. Balbir Singh, Advocate,
for the petitioner.

Ms. Ambika Sood, DAG, Punjab.

Mr. Piyush Sharma, Advocate,
for respondents No.2 to 5.

ARUN MONGA, J.(ORAL)

The controversy involved herein is whether respondents are under obligation to conduct Punjabi typing test for filling up 10% of Class-III posts by promotion from amongst Class-IV employees as per Instructions dated 24.08.1983 (Annexure P-2).

2. In return filed before this Court in response to the writ petition, the respondents have stated that pursuant to an order dated 01.06.2012 passed by this Court in CWP No.7806 of 1996, Punjabi Typing Test for Class-IV employees was organized on 06.02.2013, however, no one cleared the said test. It is further stated that the petitioner did not appear in the test conducted on 06.02.2013.

3. On a conjoint perusal of the pleadings, the position that emerges is that the vacancy of the posts is not in dispute. It has been stated that no one cleared the test, while on the other hand, petitioner in his replication has stated that he was not informed of date and conducting of the test owing to which he could not appear in the test.

4. Without getting into the controversy as to whether petitioner was informed or not, the writ petition is disposed of with a direction to the respondents to conduct a fresh Punjabi typing test by giving information to all eligible candidates subject of course to the vacancy being available.

5. In case no vacancy is available, as and when same becomes available, the respondents are expected to conduct a fresh Punjabi typing test in terms of Instructions, *ibid*.

6. Disposed of accordingly.

(ARUN MONGA)
JUDGE

28.05.2019
vandana

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No