

Sr. No.304/2

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

**CWP No.30061 of 2018 (O&M)
Date of Decision: 24.07.2019**

Mandeep Singh

... Petitioner

Versus

State of Punjab and another

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. K.S.Dadwal, Advocate,
for the petitioner.

Ms. Ambika Bedi, AAG, Punjab.

ARUN MONGA, J.(ORAL)

After hearing the arguments at some length on
05.12.2018, this Court passed the following order:-

*“It is submitted that the petitioner belongs to Sikh
Rajput Community which was declared as a backward
class vide notification dated 14.12.2016 (Annexure P5),
by the State of Punjab.*

*Based on Annexure P5, the petitioner was issued a
B.C. Certificate on 27.12.2017 (Annexure P7).*

*The petitioner is claiming consideration for
appointment as Clerk in the B.C. Category based on his
merit determined on the basis of written test conducted
on 6.5.2018.*

*It is contended that this Court in CWP-9568-2018,
titled “**Abhishek Garg and others Vs. State of Punjab**”,
has permitted the candidates who had acquired the
eligibility in General Category (like the petitioner in the*

B.C. Category), to undertake the selection process on the premise that the delay in conducting the test should not prejudice the candidates who have become eligible between the period of the date of advertisement on 1.9.2016 till the date of examination.

Notice of motion for 5.2.2019.

*To be heard along with **CWP-9568-2018**.*

In the meanwhile, the petitioner shall be considered in the B.C. Category on provisional basis subject to the decision of the writ petition.”

2. A perusal of the above order reflects that petitioner was permitted to participate in the counseling process and pursuant thereto if he was found meritorious enough for appointment in B.C category then he was to be considered in that category on provisional basis. It was also made clear that the appointments made pursuant thereto shall be subject to the decision of the writ petition.

3. Learned State counsel appearing for respondents No.1 and 2 submits that pursuant to the above order, in order to avoid any confusion, respondent No.2 has kept the entire appointment process qua the petitioner on hold and no appointments are being made.

4. Learned counsel for the petitioner submits that as per his instructions, the petitioner has been found meritorious and is sanguine that the appointment shall be offered to him in terms of merit.

5. In the aforesaid premise, I am of the view that no purpose would be served by keeping the writ petition pending.

Writ petition is disposed of having been rendered infructuous.

However, liberty is granted to the petitioner that in case he is aggrieved by non-grant of benefit of his merit as contended by him, he may approach this Court by appropriate proceedings.

6. Respondents are at liberty to proceed with the process of appointments and order dated 05.12.2018 shall not come in the way of contemplated appointments.

7. Disposed of accordingly.

24.07.2019

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No