

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP- 7178-2018

Date of decision: 12.03.2019

Manoj Kumar

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR.JUSTICE A.B. CHAUDHARI

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Present: - Mr. G.S. Gopera, Advocate for the petitioner.

Mr. D.S. Nalwa, Addl. A.G., Haryana

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A.B. CHAUDHARI, J.(ORAL)

Heard learned counsel for the rival parties.

Learned State counsel makes a categorical statement that the respondent Commission prepared a waiting list for the posts of Male Constables (General Duty) against Advt. No. 8/2015, Category No.1 and sent the same for recommendation to the Director General of Police, Panchkula, wherein the name of the petitioner is at Sr. No.35. Para No.5 of the reply reads as under:-

“5. That in view of letter dated 21.6.2018 the respondent Commission prepared a waiting list for the post of Male Constable (General Duty) against Advt. No. 8/2015, Category No.1 and sent the same vide recommendation letter dated 22.6.2018, wherein the name of the petitioner is at Sr. No. 35.”

A perusal of the above extracted para clearly shows that the recommendation of the petitioner has been made and he has been placed at Sr. No.35.

Learned counsel for the petitioner, however, submits that the petitioner has challenged the relevant rules and therefore, the petition should not be disposed of.

We do not agree with the submission made by learned counsel for the petitioner. Looking to the nature of challenge to the Rules in the petition, we think the aforesaid statement in para no.5 shows that the cause of action has come to an end. At any rate, the challenge of the Rules cannot be decided academically .

In that view of the matter, we make the following order:-

ORDER

- (i) CWP-7178-2018 is rendered infructuous as cause of action has come to an end.
- (ii) All the points in the petition including the challenge to the rules are left open.

Disposed of accordingly.

(A.B. CHAUDHARI)
JUDGE

(ANUPINDER SINGH GREWAL)
JUDGE

12.03.2019
dinesh

Whether speaking/ reasoned:
Whether Reportable:

Yes/No
Yes/No