

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

**CWP No.29700 of 2019
Date of decision:29.10.2019**

Suman Bala

... Petitioner

Vs.

State of Haryana and others

... Respondents

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. Anurag Goyal, Advocate
for the petitioner.

AMIT RAWAL J. (Oral)

Grievance of the petitioner in present writ petition is plain and simple that in view of directions issued by this Court in the order dated 16.05.2017 (Annexure 4-A), pushing the candidates more meritorious into General Category, making way for BCA Category.

Mr. Anurag Goyal, learned counsel appearing on behalf of the petitioner submitted that after one year of aforementioned order, respondents called eight candidates for verification of the documents for appointment to the posts of PGT (Punjabi), vide order dated 07.03.2018 (Annexure P-5). However, as per information of the petitioner, three candidates, namely, Manpreet Kaur, Dharamvir and Devender Singh were not given appointment. The petitioner asked for information under Right to Information Act (for short "RTI") on 23.05.2019 but no information has been received, for, they would be next in the merit list than those three who have not been issued appointment letters as department cannot fill up the

posts.

I have heard learned counsel for the petitioner and appraised paper book. In the judgment, controversy arose on behalf of the petitioner was that department did not consider the merit of the candidates belonging to BCA Category *vis-a-vis* General Category as they have secured more marks. Accepting the aforementioned contention, following directions were issued:-

“Accordingly, concerned selecting authority is directed to re-do the entire select list in respect of PGT (Geography) and PGT(Punjabi) while filling up all the posts of general category while accommodating reserved selected candidates and consider petitioners' candidature in reserved category. The above exercise shall be completed within a period of three months from today. If the petitioners are fit into respective category, in that event, necessary appointment order would be issued to them.

The posts which were not filled up in accordance with the advertisement, such posts shall not be advertised for future recruitment until the above exercise shall be completed.

With the above observation, petition stands disposed of.”

The department, as per documents placed on record with writ petition, initiated the process for calling upon eight candidates vide letter dated 07.03.2018, (Annexure P-5). The writ petition except bald averment regarding non-issuance of appointment letter is bereft of any particulars

whether all these persons have been issued appointment letters or not would be in zone of consideration than Madan Lal. No explanation has come forth in not ascertaining the information immediately after issuance of letter dated 07.03.2018 as RTI application was submitted after one year and three months, though faint attempt has been made by relying upon Annexure P-8 that a person cannot be permitted to wait for espousing the grievance for infinite period in case information sought under Right to Information Act is not supplied.

On this point, I am of the view that by referring to name of three persons who have not been issued appointment letters, would not be sufficing the compliance of interference by this Court exercising judicial review until and unless sufficient material is not placed on record particularly when action of the petitioner has been most tardy. Even no explanation has come forth in challenging the selection process of 2013.

Dismissed.

(AMIT RAWAL)
JUDGE

October 29, 2019
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No