

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

205

**RA-CW-67-2016 in CWP-23094-2011
Decided on : 24.07.2019**

Manju Bala

... Review applicant/petitioner

Versus

State of Punjab and others

... Respondents

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present : Ms. Alka Chatrath, Advocate and
Ms. Daljit Kaur, Advocate for the review applicant/petitioner.

Ms. Jasleen Kaur Sidhu, AAG, Punjab.

G.S. Sandhawal, J. (Oral)

Review is sought of the order dated 15.01.2016 by which the writ petition was dismissed on the ground that the petitioner had chosen not join the allotted station on contractual appointment. Further observations had been made that it was an appointment in pursuance of the advertisement dated 05.09.2007 (Annexure P-1) and the selection process was made in the year 2008 and the petitioner had only approached this Court in the year 2011 claiming to be higher in merit and seeking consideration. The order was dictated in the open Court in the presence of the counsel of the petitioner.

Thereafter, the review application was filed. While issuing notice in the review application on 11.03.2016, counsel for the petitioner had contended as under:-

“Inter alia contends that after the offer of appointment

was issued on 29.09.2008 (Annexure P-3), the petitioner had been representing on 17.07.2009, 20.11.2009 and 06.12.2009 (Annexures A-5 to A-7). It is further submitted that State itself decided to give a chance to the person who had not able to attend the counselling on 25.08.2010 (Annexure P-4). The petitioner had approached the authorities seeking information and on 07.01.2011 (Annexure A-8) guidance had been called for by the District Education Officer. It is, accordingly, submitted that the finding recorded in the judgment dated 15.01.2016 that the petitioner had not been agitating for her rights would not be defensible. Even though these annexures were not on the record, however, this Court is of the opinion that keeping in view the documents now placed on record, the petitioner, made out a case of review.”

Keeping in view the facts that documents Annexure A-5 to A-8 as such had not been appended and that the petitioner had represented in the year 2009 also, which had not been appended with the writ petition, the State had been asked to file reply to the review application. The reply has now been filed. In paragraph No.11 of the reply of the review application, it has been categorically denied regarding the representations being available in the official record, which were referred to in the said paragraph and which were referred by counsel at the time of issuing notice in the review application.

In such circumstances, this Court is of the opinion that the order under review dated 15.01.2016 does not suffer from any infirmity, which would warrant recalling the said order. An attempt has been made to re-argue the matter, which is not permissible under the limited

jurisdiction of review as such. Accordingly, this Court is not inclined to review the earlier order. The review application stands dismissed.

JULY 24, 2019
Naveen

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No