

CWP No.9083 of 2020(O&M)

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

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**CWP No.9083 of 2020(O&M)
Date of decision: 06.07.2020**

AMIT CHAHAL AND OTHERS

...Petitioners

Versus

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: Hon'ble Mr.Justice Deepak Sibal

Present: Mr. Naveen Siwach, Advocate
for the petitioners.

Mr. Anmol Malik, DAG, Haryana.

Deepak Sibal, J. (Oral)

Case taken up through video conferencing.

Through the present petition the petitioners seek the issuance of a direction to the respondents to allow them to participate in the selection process for the selection and appointment as P.T.Is. (Physical Training Instructors) notified by the respondents through notice dated 15.05.2020.

It is not disputed that the aforesaid selection process is being undertaken by the State in pursuance to the following directions issued by the Supreme Court on 08.04.2020 in Civil Appeal No.2103 of 2020, " Ramjit Singh Kardam and others vs. Sanjeev Kumar and others":-

- “(i) The Commission shall conclude the entire selection process initiated by the advertisement No. 6 of 2006 as per criterion notified on 28.12.2006 i.e. holding objective type written test of 200 marks and viva voce of 25 marks.
- All the applicants who had submitted applications in

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response to the above advertisement including those who were selected shall be permitted to participate in the fresh selection as directed.

- (ii) The candidates who have been selected and have worked on the post of PTI shall not be asked to refund any of the salary and other benefits received by them as against their working on the posts. No refund shall also be asked from those candidates who after their selection worked and retired from service.
- (iii) The entire process be completed by the Commission within a period of five months from the date Commission starts working after the present lockdown is over, which was the time fixed by the learned Single Judge for completing the process.
- (iv) The costs imposed by the Division Bench in paragraph 54 of the judgment of the High Court are deleted except the costs imposed on the Commission.” (emphasis supplied)

A perusal of the afore-quoted direction (i) reveals that only the applicants who had submitted applications in pursuance to the advertisement No.6 of 2006 were permitted by the Supreme Court to participate in the aforesaid selection process. Admittedly, the petitioners had not applied in pursuance to advertisement No.6 of 2006 which was notified on 28.12.2006. That being so, they cannot be permitted to take part in the selection process. To permit them to do so would be going beyond the afore quoted direction of the Supreme Court.

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Further, CWP-8470-2020-“Parveen Kumar and others vs. State of Haryana and others”, through which an identical prayer had been made already stands dismissed by this Court on 22.06.2020.

In view of the above, no merit is found in the instant petition.

Dismissed.

July 06.2020

Jyoti-IV

(Deepak Sibal)
Judge

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