

132 IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

CWP-22339-2020(O&M)

Date of decision: 23.12.2020

Amrik Singh

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.R.S.Kalra, Advocate for the petitioner

Ms. Anju Sharma Kaushik, DAG, Punjab

ANIL KSHETARPAL, J. (ORAL)

The petitioner by filing a writ under Article 226 of the Constitution of India, prays for the following substantive reliefs:-

(ii) issue a writ in the nature of mandamus directing the respondent no.1 to conduct an enquiry with regard to the unfair means adopted by respondent no.4 to ensure a selection to the post of ETT which is duly established from the CCTV footage in the possession of the official respondents;

(iii) issue a writ in the nature of mandamus directing the respondent no.1 to ensure that no candidate who have adopted to unfair means are permitted to join and participate in the selection process and further direction be issued to the respondent no.1 to take appropriate recourse of law so as to punish such like persons were indulged in unfair means the selection process;

(iv) issue a writ in the nature of mandamus directing the official respondents to furnish the CCTV footage of the Centre before this Hon'ble Court and further to take appropriate legal action to punish the persons were indulged and connived to ensure selection by fraudulent means;

(v) Issue a writ in the nature of mandamus directing the respondents to decide the representation dated 2.12.2020

(Annexure P-2) and notice dated 7.12.2020 (Annexure P-3) in a time bound manner;

(vi) any other suitable writ, order or direction as this Hon'ble Court may deem fit and proper in the facts and circumstances of the present case be issued.”

Learned counsel, for the petitioner, contends that respondent no.4, did not herself write the written examination but someone else appeared in her place. The selection is to the post of Elementary Teacher.

Ms. Anju Sharma Kaushik, DAG, Punjab, has appeared for the respondents pursuant to supply of advance copy of the writ petition. She submits that respondent no.4, has not been called for counseling and as and when she is required to be called for counseling, the Committee would scrutinize the entire record including the allegations made in the present writ petition.

Keeping in view the aforesaid facts, this Court does not think it appropriate to pass any further orders. The petitioner would be at liberty to file a fresh writ petition as and when respondent no.4, is considered for the appointment.

Needless to observe that disposal of the case shall not debar the petitioner from making representation to the appropriate authority or apply for registration of the criminal case.

Disposed of.

23.12.2020
rekha

(ANIL KSHETARPAL)
JUDGE

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