

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

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**CWP No. 23416 of 2021
Date of decision : 18.11.2021**

Jasbir Singh and another

.....Petitioners

Vs.

Union of India and others

.....Respondents

Coram: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Ramneek Vasudeva, Advocate, for the petitioners

Rajbir Sehrawat, J. (Oral)

This petition has been filed under Articles 226/227 of the Constitution of India seeking issuance of a writ of mandamus, directing the respondents not to dispense with the spotless and un-interrupted services of the petitioners from their respective posts and not to replace the petitioners with another contractual employees. It is also prayed that advertisement dated 9.6.2021 (Annexure P-24) issued by the respondents for filling various posts inclusive that of on which the petitioners are working, be quashed because the same has been issued in total violation of the law laid down by this Court in **CWP No. 20113 of 2013**, titled as **Dr. Sukhpreet Singh v. Union of India and others**, decided on 30.6.2015 (Annexure P-8), which was upheld by a Division Bench of this Court vide judgment dated 19.12.2016 passed in **LPA No. 1691 of 2015** titled as **Union of India and others v. Paramjit Kaur** (Annexure P-9). It is also prayed that letter dated 22.12.2017 (Annexure P-11) to the effect, whereby conditions of services of the contractual employees, working under Ex-serviceman Contributory Health Scheme have been unilaterally changed; and the letter dated 6.9.2018 (Annexure P-12) be quashed. Further prayer of the petitioners is to issue directions to respondent NO.1 to consider framing of law to establish, regulate and to provide for quality health care to Ex-servicemen, Pensioners and their dependents replacing the existing employees Contributory Health Scheme by using power bestowed upon it under Article 246 of the Constitution. It is further prayed that the respondents be directed

not to change the terms and conditons of the model service contract appended with Government of India, Ministry of Defence Letter No. 24(6)/03/US(WE)/(D/Res) dated 22.9.2003.

Notice of motion.

Mr. Arun Gosain, Advocate, accepts notice on behalf of the respondents.

It has been pointed out by counsel for the respondents that a similar controversy was raised in **CWP No. 20350 of 2021** titled as **Satbir Singh v. Union of India and others** and the said petition was dismissed vide this Court's order dated 6.10.2021 on the ground that the petitioner had participated in the process of selection and was not selected, hence, he cannot question the process of selection only because the result of selection was not suitable to him.

This Court finds that the present case is covered by the judgment rendered in the above said **CWP No. 20350 of 2021** because in the present case also, the result of selection has already been declared and the counsel for the respondents has also produced before this Court the offers of appointment made to the selectees of the fresh selection.

In view of the above, the present petition is dismissed in the same terms as in **CWP No. 20350 of 2021**.

(RAJBIR SEHRAWAT)
JUDGE

18.11.2021

Ashwani

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No