

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

COCP-848-2022 (O&M)

Date of decision: 02.05.2022

Anil

...Petitioner

Versus

Pankaj Aggarwal and another

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. D.S.Rawat, Advocate for the petitioner
Mr. Narinder Singh Behgal, AAG, Haryana

ANIL KSHETARPAL, J (Oral)

Complaining the wilful disobedience of the direction issued in CWP-9997-2017 on 18.01.2022, the petitioner has filed the present petition under Section 11 and 12 of the Contempt of Courts Act, 1971.

The operative part of the order reads as under:-

“34. As an upshot, a writ in the nature of mandamus is hereby issued, commanding the respondents that

(a) the 44 backlog posts reserved for Physically Handicapped candidates which are currently lying vacant for want of eligible candidates in this category, even after the second attempt for recruitment, be filled up from the general category candidates by appointment of persons other than persons with disability;

(b) appointments shall be made on the basis of merit/ seniority in the waiting list of candidates (including the petitioners) who had competed for the posts in response to the same advertisement and such appointees' shall be placed at the bottom of seniority in the general category;

(c) since on the one hand there is a serious shortage of VLDAS, on the other petitioners have been deprived of their livelihood from 2017 onwards, needful be done within a period of thirty days, from the date the petitioners approach the respondents along with the certified copy of this order; and

(d) it is also directed that in the future

advertisements, the respondents shall make it mandatory for the candidates applying against the horizontally reserved posts to indicate whether they belong to SC/BC/ST or General category.

35. With the aforesaid directions, both the writ petitions are partly allowed and disposed of in above terms.”

Learned State counsel on instructions from Sh.Dikaansh, ADA, Staff Selection Commission, has submitted that the necessary compliance of the directions issued will be made positively, within a period of 15 days, from today.

In view of the aforesaid, no further order is required to be passed.

Disposed of.

All the pending miscellaneous applications, if any, are also disposed of.

02.05.2022

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE