

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

118)

CWP-18983 of 2022

Date of Decision: 26.08.2022

Devender Singh and others

.....Petitioners

Vs.

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Sanchit Punia, Advocate,
for the petitioners.

HARSIMRAN SINGH SETHI, J. (ORAL)

The learned counsel for the petitioners argued that the petitioners competed for appointment to the post of TGT (Physical Education) in pursuant to the Advertisement No.3/2015 issued on 28.06.2015 and the petitioners were shown in the waiting list keeping in view the merit obtained by the petitioner in view of the number of posts advertised.

The learned counsel for the petitioners argued that some of the candidates who were within the merit and had initially joined, have submitted their resignation within a short period after joining and have vacated the posts in question and the petitioners, who are next in the merit are eligible and are awaiting appointment and therefore, the respondents are under an obligation to consider the claim of the petitioners for appointment against the posts which have become available now on the basis of the resignation of the newly selected candidates.

The learned counsel for the petitioners further submits that the claim as raised in the present petition has already been raised by the

petitioners before the department concerned vide legal notice dated 22.06.2022 (Annexure P-16) and hence, the petitioners will be satisfied at this stage in case a time bound directions is given to the respondents to decide the same by passing appropriate speaking order.

Notice of motion.

On the asking of the court, Mr. Harish Nain, A.A.G., Haryana, accepts notice on behalf of the respondent-State and raises no objection.

Without going into the merits of the case or the claim being made by the petitioners in their legal notice, the present petition is disposed of with a direction to respondent no.2 to decide the legal notice (Annexure P-16) dated 22.06.2022 within a period of eight weeks' from the receipt of the copy of this order.

After passing of the speaking order, in case it is found that the petitioners are entitled for any relief, the same be also extended.

August 26, 2022
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No