

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

CWP-25982-2018 (O&M)

Date of decision: December 05, 2022

Amar Singh

.....Petitioner

versus

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. M.R. Sharma, Advocate for the petitioner.

Mr. Saurabh Mohunta, DAG Haryana.

ARUN MONGA, J. (ORAL)

Petition herein, *inter alia*, is for issuance of a writ in the nature of Certiorari seeking to set aside action of the respondents in not issuing appointment letter to the petitioner, and reply dated 12.06.2018 (Annexure P-23) whereby respondent No.2 has claimed that there is no fault on his part in not issuing appointment letter. Further direction has been sought to the respondents to appoint the petitioner on the post of Junior Engineer from the date on which the selected candidates lower in merit have been appointed and to pay the salary from that date onwards.

2. It appears that in principle, there is no objection to the petitioner's selection as Junior Engineer either on his being not meritorious or otherwise lacking the credentials, but for the necessary confirmation of the credentials from his previous employer i.e., Indian Air Force. Same is borne out from Para-7 of the preliminary submissions of the return dated

24.04.2019 filed on behalf of respondents No.1 and 2, which for ready reference is reproduced herein below:

“7. *That in compliance of the decision of Equivalency Committee, the Secretary, HSBTE, Panchkula has wrote a letter dated 02.02.2018 (Annexure P/18) to A.O.C. Indian Air Force, A.F.R.O., Subroto Park, New Delhi to intimate whether the Diploma in Electrical Engineer issued to the petitioner has been approved by AICTE and also intimate if it is a regular course or distance mode course. In reference, this office vide Memo. No.20969/EIII, dated 08.02.2018 (Annexure P/19) has also written a letter to A.O.C. Indian Air Force, A.F.R.O., Subroto Park, New Delhi to intimate whether the Diploma in Electrical Engineer issued to the petitioner has been approved by AICTE and also intimate if it is a regular course or distance mode course. The reply in this regard is still awaited form A.O.C. Indian Air Force, A.F.R.),, Subroto Park, New Delhi.*”

3. *Apropos*, there is nothing much before this Court to adjudicate, other than to dispose of the writ petition with the expectation that respondent No.2 shall positively ensure that pursuant to letter dated 08.02.2018 (Annexure P-19), since response has not come forth, the same be sought by hand through petitioner. For this purpose, the petitioner shall personally visit the office of the Area Officer Commanding, Indian Air Force, A.F.R., Subroto Park, New Delhi with the reminder letter and submit the latter's response thereto in the office of respondent No.2. Further necessary action be taken in the light thereof *qua* issuance of appointment letter for the post in question within a period of 2 months after the petitioner submits necessary verification report from his previous employer.

4. In the meanwhile, in case, post in question has already been filled up, since on a Court query, neither of the learned counsels are readily in a position to respond to the same, it is expected of the respondents to give

benefit of the next available vacancy to the petitioner as and when it arises
subject of-course to his otherwise being eligible for the post.

- 5. Disposed of with aforesaid observations.
- 6. Pending application(s), if any, shall also stand disposed of.

(ARUN MONGA)
JUDGE

December 05, 2022
mahavir

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No