

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

102

**RA-CW-207-2022 (O&M) in
CWP-21535-2014**

Neelam Rani and others

.... Review applicants/petitioners

Versus

State of Haryana and others

.... Respondents

**RA-LP-17-2022 (O&M) in
LPA-720-2016**

Naresh Kumar

.... Review applicant/appellant

Versus

State of Haryana and others

.... Respondents

Decided on : 16.12.2022

**CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA
HON'BLE MR.JUSTICE VIKAS SURI**

Present: Mr. Amandeep Singh Talwar, Advocate
for the review applicants/petitioners/appellant.

G.S. Sandhawal, J.

CM-14860-CWP-2022 in RA-CW-207-2022

CM-1973-LPA-2022 in RA-LP-17-2022

Applications for condonation of delay of 13 and 26 days in filing the review applications, are allowed, in view of the averments made in the applications. Delay of 13 and 26 days in filing the review applications is condoned.

CMs stand disposed of.

RA-CW-207-2022 & RA-LP-17-2022

Present review applications have been filed for reviewing the judgment dated 20.07.2022 passed in **LPA No.912 of 2016 ‘Paramjeet Kaur and another Vs. State of Haryana and others’** alongwith other connected cases. The said case was disposed of after long contest and

various directions were issued vide the said order, which is now sought to be reviewed.

Dissatisfied parties had taken the matter to the Apex Court in appeal vide **Diary No.25269 of 2022 ‘Vikas Kumar and others Vs. State of Haryana and others’**. The Apex Court vide order dated 13.09.2022 passed the following effective order:-

“(i) The total number of advertised posts i.e. 9870 to be filled up first from the selected candidates declared in the result dated 14.08.2014.

(ii) In the event, the selected candidates from the above category do not join, then the remaining vacancies shall be filled up from the list of waitlisted candidates declared along with successful candidates on 14.08.2014.

(iii) After filling up of the 9870 vacancies as provided above, the 2233 candidates who qualified the HTET after the cutoff date, sometimes in June, 2013 will be appointed as per their inter se merit enbloc below the above 9870 candidates.

(iv) In case, there still remain any waitlisted candidates from the waitlisted list of 14.08.2014, who could not be accommodated in the advertised posts of 9870, will be appointed enbloc as per their merit below the 2233 candidates.

(v) The seniority will be as per their merit position in their respective lists.

(vi) No dispute for seniority would be entertained of any candidate inter se different lists.

(vii) No claim for seniority or for any arrears would be entertained for any period not worked by the candidates of any of the above lists.

(viii) Salary would be paid for the period, for which such candidates have actually worked but not paid salary after due verification of their working both from the records and physically.

(ix) The 2012 selections will stand closed with the above arrangement.

(x) Exercising our powers under Article 142 of the Constitution, we increase the number of advertised posts

beyond 9870 to accommodate the candidates as directed above and no more.

(xi) All the appeals are disposed of as directed above.

(xii) The impugned judgment shall stand modified to the aforesaid extent.”

From the above, it would be clear that the curtains have come down on the 2012 selection of JBT Teachers finally. The modification is also based on the fact that there were three sets of candidates claiming to be eligible and, accordingly, concession was given by the State of Haryana that the State is ready and willing to accommodate all the three categories of candidates. Resultantly, the Apex Court while noticing that litigation was more than a decade could be put to a quietus and the mammoth exercise of holding the selections for 9870 posts in the year 2012 and full benefits have to be granted, the Apex Court disposed of the appeals in those circumstances.

Apparently the applicants are those sets of persons who had not got the benefit of the order of the Apex Court and therefore, now wanting to scuttle the entire recruitment process which has now become finalized as apparently they would not fall within the zone of consideration within the three sets of groups whose rights have now been crystallized in view of the order of the Apex Court.

In such circumstances, we do not find any ground to entertain the present review applications and the same are dismissed.

(G.S. SANDHAWALIA)
JUDGE

(VIKAS SURI)
JUDGE

16.12.2022

Naveen

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No