

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

Sr. No.252

CWP-21961-2021 (O&M)

Date of decision: 07.12.2022

Kamni

....Petitioner

Versus

State of Punjab and others

....Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Prateek Pandit, Advocate for the petitioners.

Mr. Charanpreet Singh, AAG, Punjab
for respondent No.1.

Mr. Sehajbir Singh, Advocate
for respondents No.2 to 4.

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DEEPAK SIBAL, J. (Oral)

Through the present petition the petitioner seeks issuance of a direction to the respondents to consider and appoint her as an Assistant Engineer (on Training) (Electrical).

Through an advertisement dated 30.09.2019, the respondent – Punjab State Power Corporation Limited (for short – the Corporation) advertised for filling up of 100 posts of Assistant Engineer (on Training) (Electrical). Out of the advertised posts 05 posts were reserved to be filled up under the General (EWS) quota against which the petitioner applied for consideration of her candidature. After the selection process was over, a merit list was published and in the category under which the petitioner had applied, she was placed at merit no.8 and therefore not offered appointment.

Through the instant petition the petitioner had submitted that the candidate at merit no.1 was found by the Corporation to possess fake certificates and that the candidates at merit nos.2 and 6 having joined

in other organizations were not interested in being appointed in the selection in question. That being so, the petitioner now stood at merit no.5 and should have been offered appointment.

Learned counsel for the respondent-Corporation submits that the afore submissions made on behalf of the petitioner were found to be correct and therefore, through order dated 10.10.2022 the respondent-Corporation has itself offered appointment to the petitioner which she has accepted and joined.

In the light of the above, the claim of the petitioner qua seeking appointment to the post in question has been rendered infructuous but since she was not offered appointment on an earlier date for no fault of hers, it is directed that the petitioner's appointment, though notionally, would relate back to the date when the last person above the petitioner in merit joined on the post in question.

The present petition is disposed of in the above terms.

December 07, 2022
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No