

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

106+223

CWP-22720-2022

DATE OF DECISION: 21.10.2022

VEDPAL SINGH

... Petitioner(s)

Versus

STATE OF HARYANA AND OTHERS

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. A.P.S. Sandhu, Advocate for the applicant/petitioner.

Mr. Anant Kataria, DAG, Haryana.

Mr. Pritam Saini, Advocate for R-3.

Mr. Sourabh Goel, Advocate for R-4 & 5.

Mr. Himanshu Raj, Advocate for R-6.

ANUPINDER SINGH GREWAL, J. (ORAL)

CM-16297-2022

This application is for impeachment of the applicant as petitioner No.2.

For the reasons stated in the application, the same is allowed and the applicant namely Vimal Kumar Gore Lal Verma is impleaded as petitioner No.2. The amended memo of parties is taken on record.

MAIN CASE

The petitioner has challenged the advertisement issued on 18.07.2022 for appointment of Chief Chemist.

Learned counsel for the petitioner submits that the petitioner and 18 other candidates had applied for three posts of Chief Chemist but while the process of selection was underway, respondent No.6 who was one of the

applicants, had been appointed as Chief Chemist w.e.f. 01.10.2022 on contractual basis till 15.06.2023.

Learned counsel for respondents No.4 & 5 submits that the working of the Sugar Mill is suffering for want of a Chief Chemist. The workload in the Mill is likely to increase in the ensuing crushing season and therefore, respondent No.3 be directed to complete the selection process in a time bound manner.

Learned counsel for respondent No.6 submits that the petitioner himself has filed his affidavit wherein it is stated that he did not give instructions for filing this petition.

Learned counsel for the petitioner, however, submits that the petitioner has also sent another affidavit that he indeed had filed the instant petition. He has furnished the affidavit which is taken on record. An application has also been preferred by another candidate, who had also applied for the post of Chief Chemist, for impleadment as the petitioner.

Learned counsel for respondent No.6 submits that the petitioner has only been given an extension on contractual basis and the original order is not the subject matter of challenge in this petition.

Mr. Pritam Saini, Advocate has put in appearance on behalf of respondent No.3. He, upon telephonic instructions, from the office of respondent No.3, submits that the selection process is underway and they will try to conclude the process expeditiously.

Heard.

It is manifest that the respondents had advertised the posts of

Chief Chemist and while the selection was underway respondent No.6 had been appointed as Chief Chemist on contractual basis.

This Court, by the order dated 29.09.2022, had stayed the proceedings of the B.O.D. meeting held on 02.09.2022 whereby respondent No.6 had been granted extension as Chief Chemist on contractual basis. It was not appropriate for them to appoint one of the applicants as Chief Chemist on contractual basis without finalizing the selection. There does not seem to any impediment in completion of the selection process. The crushing season is approaching and therefore I deem it appropriate to dispose of this petition by directing respondent No.3 to complete the selection process for the post of Chief Chemist in pursuance to the advertisement issued on 18.07.2022 by 30.11.2022. However, it is clarified that nothing observed hereinabove shall deem to have any bearing on the merits of the candidates, who have applied for selection including respondent No.6.

The petition stands disposed of.

Pending application(s), if any, also stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

21.10.2022
SwarnjitS

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

