

201+202

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of decision: 20.05.2022

1. CWP-28448-2019

RAMETI

...Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

...Respondents

2. CWP-30871-2019

POOJA

...Petitioner

VERSUS

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Vikram Singh Narwal, Advocate
for the petitioner in CWP-28448-2019.

Mr. Sandeep Goyat, Advocate
for the petitioner in CWP-30871-2019.

Mr. Tapan Kumar, DAG, Haryana.

JAISHREE THAKUR, J. (Oral)

These two petitions have been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the impugned orders dated 12.09.2019 (Annexure P-4) and dated 11.10.2019 (Annexure P-10) respectively, whereby the services of the

petitioners herein have been terminated.

By this common order, this Court proposes to dispose of the above noted writ petitions that have been filed on the same cause of action.

For the matter of convenience, the facts are being taken from CWP No.30871 of 2019, in which reply has been filed.

In brief, the facts are that the respondent-Haryana Staff Selection Commission had advertised for recruitment of 1147 posts of Female Constable (General Duty) under category No.2 vide advertisement No.3/2018 dated 16.04.2018. The petitioner, Pooja being qualified, applied for the said post and on account of having good academic record and having passed the physical measurement test, was kept in the waiting list. The petitioner was then offered appointment to the post of Female Constable and she was directed to appear for medical examination on 05.09.2019. The medical process was completed and the petitioner was allotted constabulary No.180/KKR on 06.09.2019, however, she was issued a show cause notice on 12.09.2019 (Annexure P-6), on the ground that another person had to be considered, who was in the waiting list. The petitioner submitted her reply dated 18.09.2019, but by the impugned order dated 11.10.2019 (Annexure P-10), the services of the petitioner were terminated, which led to the filing of the instant writ petition.

Notice of motion was issued as far back as on 29.10.2019, pursuant to which, a short reply has been filed by the Superintendent of Police, Kurukshetra dated 28.07.2020. As per the reply, it is stated that private respondent No.5 was entitled to be appointed as Female Constable (General Duty) under the reserve category BCA, but inadvertently, the name

of the petitioner was recommended from the waiting list of general category, however, on account of various directions being issued in various writ petitions, that were preferred in this Court, the merit list was re-cast and certain vacancies occurred and the case of the petitioner herein was re-considered and the petitioner has been taken back in service as would be evident from letter dated 10.09.2019, addressed from the office of the Director General of Police, Haryana, Panchkula to the Superintendent of Police, Kurukshetra (Annexure R-III) and letter dated 16.12.2019, addressed from the office of the Director General of Police, Haryana, Panchkula to the Commissioner of Police, Gurugram (Annexure R-IV) in the case of petitioner Rameti in CWP-28448-2019 and others.

Learned State counsel would submit that as the necessary relief has been given to the petitioners herein, both the present petitions have rendered infructuous.

I have heard learned counsel for the parties.

In view of the reply filed in CWP-30871-2019, this Court is of the opinion that the instant writ petitions do not survive anymore as the necessary relief has been given to the petitioners herein.

Consequently, the instant petitions are disposed of as having rendered infructuous.

20.05.2022
Chetan Thakur

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No