

2023:PHHC:133880
CWP-8021-1997 (O&M)
Date of Decision: 12.10.2023

S.S. Bains

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present None for the petitioner.
Mr. D.K. Singal, Addl. AG, Punjab.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. The petitioner has prayed in the writ petition as under:-

“To direct the respondents to re-allocate petitioner to the post of either Tehsildar or Assistant Registrar, Cooperative Societies on the accrual of vacancies in the category Ex.-Serviceman caused by re-allocation/non-joining and grant other consequential benefits to the petitioner.

To quash the order Annexure P/4 dated 30.04.1997, passed by the respondents”

2. In the writ petition, the petitioner has stated that he applied for appointment under the Punjab Civil Service (Executive Branch) and other Allied Services Examination, which took place in the year 1982. The petitioner secured 211 marks and also appeared in the interview, but his name did not figure in the first select list, as the respondents failed to give due quota of ex-servicemen. Thereupon, the petitioner along with other aggrieved candidates approached this Court and this Court vide order dated 08.04.1986, directed the respondents to fill up the vacancies relating to ex.-servicemen quota, in accordance with merit. After a long span of time, in the year 1990, the respondents issued list of eleven candidates, wherein, name of the

petitioner figured at Sr. No.5 and the petitioner was allocated the Labour Department, Punjab, as Labour-cum-Conciliation Officer. Two candidates above the petitioner namely Mahender Singh and Darshan Singh, were allocated Revenue Department as Tehsildar but they opted not to join, as a consequence whereof, the posts earmarked for ex-servicemen fell vacant. Later on, the petitioner came to know that candidate whose name figured at Sr. No.3, represented the State Government and his request was considered and was reallocated the post of Tehsildar, vide order dated 11.02.1992. It is prayed that once the other candidate was reallocated as Tehildar on account of non-joining of other candidate, the petitioner ought to have been reallocated.

3. The writ petition has remained pending since long and the petitioner has not been offered appointment as Tehsildar or Assistant Registrar Cooperative Societies. It is now too late in the day to consider the petitioner for appointment on a different post as he has already worked on the post of Labour-cum-Conciliation Officer, which he joined in the year 1990. By afflux of time, this petition has been rendered infructuous as no relief can be granted. Accordingly, the writ petition is dismissed.

4. All pending misc. application(s) also stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

12.10.2023

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1. Whether speaking/reasoned?	:	Yes/No
2. Whether reportable?	:	Yes/No