

CWP-5874-2023

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(110)

CWP-5874-2023

Date of decision : 20.04.2023

Parminder Singh

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Khushkaran K. Goyal, Advocate for
Mr. S.S.Maini, Advocate
for the petitioner.

Mr. Rohit Bansal, Senior Deputy Advocate General, Punjab.

Ms. Puja Chopra, Advocate
for respondents No.2 and 3.

...

SUVIR SEHGAL, J. (Oral)

1. Instant petition has been filed under Article 226/227 of the Constitution of India seeking issuance of a writ in the nature of mandamus directing the respondents to declare the result for the post of Process Server in the category of Physically Handicapped.

2. Advance copy of this petition had been served upon the respondents.

3. In compliance of order dated 22.03.2023 passed by this Court, counsel for respondents No.2 and 3 has filed an affidavit of District and Sessions Judge, Bathinda, respondent No.3, wherein, it has been deposed as under:-

“4. That the writ petitioner appeared for his interview on 25.01.2023 before the Recruitment Committee, constituted by respondent No.3/deponent and the said committee comprised of three Judicial Officers. The writ petitioner appeared against Roll No.1410 under the physically handicapped category and the candidature of the petitioner was duly considered by the said recruitment committee.

5. That the Recruitment Committee, vide its report bearing letter No.65 dated 30.01.2023, submitted to the deponent, its recommendation of the names of candidates found suitable to be selected for the posts of Process Servers and the waiting lists for various categories and further reported in its said recommendation, that in the category of physically handicapped, none of the candidate was found suitable for the post of Process Server.

6. That the said report of the Recruitment Committee dated 30.01.2023 was accepted by the deponent on the same day and following order was passed:-

“Accepted in toto. Be processed further and result be hosted on net.”

Whereupon the list of the successful candidates under various categories, including the names of the candidates in the waiting list, were hosted on the website of the Sessions Division, Bathinda. Since no suitable candidate from physically

handicapped category was found during the course of selection process by the Recruitment Committee and recommendations of the Committee having been accepted by the deponent, thus, no name of any candidate from the physically handicapped category finds mention in the list hosted on the website and only the names of successful candidates are listed therein.

7. *That the post of Process Server, in the category of Physically Handicapped, is still lying vacant, as no suitable candidate was found in the selection process and the list of successful candidates pursuant to the advertisement bearing Endorsement No.160 dated 10.01.2023 and waiting list hosted on the website of the court of Sessions Division, Bathinda is the complete list of the successful candidates and there remains no successful candidate to be declared under the physically handicapped category.*

8. *That since the post of Process Server under the category of physically handicapped (which is subject matter of present writ petition), remaining unfilled (as detailed herein before), a request for filling up the said post along with other sanctioned post of the Process Server, had been made to the Hon'ble High Court by the deponent and the same has been so granted by the Hon'ble High Court, vide its letter No.214 SPL/E.II/VII. B.4(Pb.) dated 17.03.2023.*

CWP-5874-2023

-4-

9. *That on account of pendency of the present writ petition and the Hon’ble High Court being seized of the matter, the recruitment process pursuant to the permission dated 17.03.2023 granted by the Hon’ble High Court on the administrative side, has not been further processed by the deponent.”*

4. In view of above, nothing survives for adjudication in the writ petition, which is disposed of.

(SUVIR SEHGAL)
JUDGE

20.04.2023
Pardeep

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No