

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

105+246 (03)

(1) CWP-11405-2021
Date of Decision :-13.09.2023

Mohan Singh and another ...Petitioners

Versus

State of Haryana and another ...Respondents

(2) CM-6803-CWP-2023 in/&
CWP-11470-2021

Parvin Kumar and others ...Petitioners

Versus

State of Haryana and another ...Respondents

(3) CWP-7837-2023

Narender Singh and another ...Petitioners

Versus

State of Haryana and another ...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Rakesh Nagpal, Advocate for the petitioners
in CWPs-11405 and 11470-2021.

Mr. Jasbir Mor, Advocate for the petitioners
in CWP-7837-2023.

Mr. RKS Brar, Addl. A.G. Haryana.

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Harsimran Singh Sethi, J. (Oral)

CM-6803-CWP-2023

Application is allowed as prayed for.

Main cases

1. By this common order, above mentioned three writ petitions are being disposed of as all the writ petitions involve same question of law and similar facts.

2. In the present petitions, the claim of the petitioners is that they had competed for selection and appointment to the posts as advertised vide advertisement No.4/2018 by which, 18218 posts of group-D were advertised. The petitioner(s) competed under the reserved category of either ex-servicemen (scheduled caste) or in the backward class category as the case may be. The petitioners competed for the said posts and as per their merit, the petitioners were placed in the waiting list keeping in view the number of posts advertised. The grievance of the petitioner(s) is that though, the large number of posts remained vacant in the category in which the petitioner(s) were placed in the waiting list, but the benefit of appointment was not given to the petitioners and that too without any valid justification.

3. Learned counsel for the petitioner(s) argues that the respondents were under an obligation to consider the claim of the petitioner(s) for appointment against the posts, which were advertised and remained vacant keeping in view the fact that the petitioner(s) were very much eligible for appointment being recommended/put in the waiting list.

4. Learned counsel for the respondents submits that the claim of the petitioner(s) with regard to the appointment upon being put in the waiting list will be considered by the department concerned and in case it is

found that the names of the petitioner(s) were recommended and some of the posts in the category in which the petitioner(s) are claiming appointment remained vacant and waiting list was still in operation by the said date, an appropriate order will be passed.

5. Learned counsel for the petitioner(s) submits that the respondents be time bound to pass such an order so that the petitioner(s) do not suffer any prejudice.

6. Learned counsel for the respondents submits that an appropriate order deciding the claim of the petitioner(s) will be passed within a period of 02 weeks and in case the claim of the petitioner(s) is found to be genuine further relief will be granted to them within a period of further four weeks.

7. Learned counsel for the petitioners submits that keeping in view the statement made by the learned counsel for the respondents, present petitions may kindly be disposed of having been not pressed any further with liberty to the petitioner(s) that in case any adverse order is passed by the respondents, petitioner(s) can avail appropriate remedy in accordance with law.

8. Ordered accordingly.

September 13, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

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