

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(228)

CWP No. 11430 of 2019

Date of Decision : 21.11.2023

Vicky Basniwal

...Petitioner

Versus

State of Haryana and others

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Jasbir Mor, Advocate for the petitioner.

Mr. Harish Rathee, Sr. Deputy Advocate General, Haryana.

Harsimran Singh Sethi J. (Oral)

1. Present petition has been filed by the petitioner for directing the respondents to fill up the vacant posts of Agriculture Inspectors from the waiting list candidates.

2. Learned counsel for the petitioner submits that in the present case, the respondents had issued an Advertisement No. 6/2016 inviting applications for 59 posts of Agriculture Inspector and out of the said 59 posts, 09 posts were reserved in the Category of BC-A for which post the petitioner had competed. Learned counsel for the petitioner further submits that though initially, all the posts in the BC-A Category were filled up but thereafter, two candidates resigned from service, hence, the vacated posts needed to be filled up from the waiting list.

3. Learned counsel for the petitioner submits that the respondents are contesting the claim of the petitioner on the basis of the Instructions dated 20.01.1988 (Annexure R-3/1), which were issued

much prior to the date of Advertisement but during the pendency of the present petition, fresh Instructions dated 25.06.2019 have been issued by the Government with regard to the filling of the vacancy, which become available due to the resignation or the death or the newly appointed candidates during the operation of the waiting list and the petitioner's prayer is that the respondents should decide the claim of the petitioner in respect of the grant of appointment under the said Instructions and one post, which has been kept reserved, be not filled up till the decision of the claim of the petitioner.

4. Learned counsel for the respondents submits that in case, any representation is received from the petitioner placing reliance upon the said Instructions dated 25.06.2019, the said claim will be considered in accordance with law and appropriate order will be passed within a period of eight weeks of the receipt of any such representation and in case, petitioner is found entitled for any relief, the same will also be given to him within a further period of four weeks otherwise, appropriate speaking order will be passed giving the details for not accepting the claim.

5. Learned counsel for the petitioner submits that keeping in view the said statement of learned counsel for the respondents, the present petition may kindly be disposed of having been not pressed any further with liberty to the petitioner to file appropriate representation by raising the claim under the Instructions dated 25.06.2019.

6. Ordered accordingly.

November 21st, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No