

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

134

2023:PHHC:067499

CWP-10053-2023

Date of decision: 10.05.2023

MANINDERJIT SINGH AND OTHERS

..Petitioners

Versus

STATE OF PUNJAB AND OTHERS

..Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Surinder Sharma, Advocate
for the petitioners.

Mr. Vikas Arora, AAG, Punjab.

ANIL KSHETARPAL, J(Oral)

The dispute is with regard to the extent of reservation to Vimukt Jati and Bazigars who are already enlisted as Scheduled Castes. The Government of Punjab issued policy instructions on 20.12.2001 while providing for additional reservations/opportunity/benefit to the candidates belonging to the Vimukt Jatis and Bazigars to claim reservation of 2% of unfilled vacancies from the category of post reserved for Balmikis and Mazhabis, Scheduled Caste (Ex-Servicemen) and Scheduled Caste (Sportsmen). The petitioners claim that the aforesaid 2% reservation for Vimukt jatis and Bazigars is on the total number of posts advertised. In **CWP-8833-2013 and other connected cases, titled as Agyapal and others Vs. State of Punjab and others, decided on 23.03.2023**, this Court after interpreting the various instructions issued by the State passed a detailed judgment while observing that the State never intended to grant separate reservation to the extent of 2% from the total posts advertised. In fact, the provision for additional reservation to the candidates belonging to the Vimukt jatis and Bazigars is dependant upon the unfilled vacancies reserved

for Balmikis and Mazhabis, Scheduled Caste (Ex-Servicemen) and Scheduled Caste (Sportsmen) categories.

The relevant discussion is extracted hereunder:-

“In fact, this will come into operation only on the happening of an eventuality. The candidates belonging to Vimukt Jatis and Bazigars are entitled to be considered amongst the Scheduled Caste (Ramdasias and Others). Thereafter, if the posts are left unfilled in the quota reserved for Balmikis and Mazhabis, Scheduled Ex-serviceman and Scheduled Caste Sportsman, then, they are entitled to be considered in that category. This 2% of unfilled quota is restricted to the quota reserved for Balmikis, Mazhabis, Scheduled Ex-serviceman and Scheduled Caste Sportsman. This provision is in fact, in the nature of an effort of the State to grant representation to the Vimukt Jatis and Bazigars.”

Keeping in view the aforesaid facts, the present petition is disposed of accordingly.

All the pending miscellaneous applications, if any, are also disposed of.

May 10th, 2023

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**(ANIL KSHETARPAL)
JUDGE**

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