

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

1. CWP No.14243 of 2022

Parvesh Sharma and Ors

....Petitioners

Versus

State of Haryana and Ors.

.....Respondents

2. CWP No.13900 of 2022

Sumit Kumar and Anr

....Petitioners

Versus

State of Haryana and Ors.

.....Respondents

3. CWP No.30076 of 2022

Raj Kumar and Ors

....Petitioners

Versus

State of Haryana and Ors.

.....Respondents

4. CWP No.8255 of 2022

Amit Jain and Ors

....Petitioners

Versus

State of Haryana and Ors.

.....Respondents

5. CWP No.27856 of 2022

Yogesh Kumar and Ors

....Petitioners

Versus

State of Haryana and Ors.

.....Respondents

Date of decision : 31.08.2023

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present :- Mr. Viresh Dahiya, Advocate for the petitioners
in CWP Nos.13900, 14243, 27856 and 30076 of 2022.

Mr. Munish Mittal, Advocate for
Mr. Ankit Kamboj, Advocate for the petitioners
in CWP No.8255 of 2022.

Mr. Sanchit Punia, Advocate
for the petitioners in CWP No.7734 of 2022.

Mr. Pradeep Bhardwaj, Advocate

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for respondent No.3 in CWP No.7734 of 2022.

Mr. Puneet Gupta, Advocate and
Mr. Ravindra Singh, Advocate
for respondent No.2.

Mr. Harish Nain, AAG, Haryana.

HARSIMRAN SINGH SETHI, J. (ORAL)

This common order shall dispose of all the aforesaid five writ petitions as identical facts and questions of law are involved in the same.

Learned counsel for the petitioners submits that once similarly situated employees have already been allowed to compete for the post of Assistant and have been selected and allowed to join the new post, the petitioners be also given the same benefit of being treated as eligible to compete for the post in question for which their application forms have already been forwarded to the concerned selecting agency.

Learned counsel appearing for the respondent-Haryana Legal Services Authority submits that they have no objection in case, as a one time measure the petitioners are treated eligible for appointment against the post for which they have applied for, especially under the circumstances that by an interim order petitioners have already been allowed provisional participation in the selection process and in case they are selected, no hindrance will be created by the Authority so as to allow the petitioners to join, subject to their furnishing technical resignation.

Learned counsel for the petitioner(s) submits that in case any of the petitioners is selected in pursuance to the applications already made, they will only join after giving technical resignation to the respondent-Haryana Legal Services Authority.

As application forms of the petitioners have already been forwarded to the agency concerned and either the petitioners have completed the selection process or are already participating in the same, hence, question of law raised in the present petitions is kept open to be decided in the appropriate proceedings.

At this stage, learned counsel appearing on behalf of respondent-Haryana Legal Services Authority submits that as some of the petitioners have

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already left the service of the authority and joined new posts whereas some are already competing as the process of selection in their case is yet to reach finality, Haryana Legal Services Authority intends to fill the vacant posts as early as possible so that its work does not hinder in any manner, hence appropriate direction be issued to the Haryana Staff Selection Commission to complete the process immediately so as to enable the Haryana Legal Services Authority to perform its duty smoothly without there being any hindrance in the work-force.

Learned counsel for the respondents State submits that all the efforts will be made to complete the selection process early as possible and in case any requisition is received from the Haryana Legal Services Authority, the appropriate action is already underway, qua the requisition already received.

Keeping in view the statement of learned State counsel, no further order is required to be passed at the stage. Haryana Staff Selection Commission is requested expedite the selection process and complete the same as early as possible so that work of Haryana Staff Legal Services Authority do not suffer in any manner.

Petition stands disposed of accordingly.

Civil misc. application on pending, if any, is also disposed of.

A photo copy of this order be placed on all the connected files.

August 31, 2023
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned: Yes

Whether Reportable : No