

CWP-19963-2023
Date of decision: 11.09.2023

CORAM: HON'BLE MR. JUSTICE DEEPAK MANCHANDA

DEEPAK MANCHANDA J. (ORAL)

The instant writ petition has been filed under Article 226/227 of the Constitution of India for issuance of a writ in the nature of mandamus, directing the respondent department to consider the merit of the petitioners by including the relevant and requisite marks for their experience as per the criteria for recruitment to the post of Conductors and Drivers mentioned in the advertisement dated 31.07.2014 (Annexure P-1) in the final result (Annexure P-2) with regard to service so rendered by the petitioners and thereby marks of the petitioner be also included in the final selection list (Annexure P-3).

Learned counsel for the petitioners contends that petitioners have been working as Conductor with the respondent No.2 since last about 10 to 13 years approximately. He submits that respondent No.2 had flouted an advertisement for the posts of Conductors and Drivers on contract basis

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I attest to the accuracy and
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on 31.07.2014 along with terms and conditions for appointment of

Conductors and Drivers. The petitioners are working in the depots of respondent department on contract basis through outsourcing and they all have filled the requisite forms in pursuance of the advertisement (Annexure P-1) and they appeared in the written test against the roll numbers allotted to them. The written test was conducted and petitioners qualified the same. He further submits that the result so declared by the Panjab University clearly shows the petitioners' roll numbers, however, in the final selection list, the roll numbers of petitioners were missing except the name of petitioners No.5 and 6. He submits that legal notices appended with the present petition have been served by the petitioners No.1 to 6 only, whereas, rest of the petitioners undertake to serve legal notice within two weeks to the concerned authorities i.e., respondent No.2 and the petitioners would be satisfied if necessary directions are given for deciding the legal notices in a time bound manner.

Notice of motion.

At this stage, on asking of the Court, Mr. Arun Gupta, AAG Punjab, who is present in the Court, accepts notice on behalf of the respondents and does not object to the prayer made by learned counsel for the petitioners.

In view of the pleadings in the present petition, without expressing any opinion on the merits of the case or the claim being made by the petitioners in the legal notices dated 01.09.2022 (Annexure P-5), 08.09.2022 (Annexure P-6), 09.09.2022 (Annexures P-7 and 8), 23.08.2022 (Annexures P-9 and 10) filed by petitioners' No. 1 to 6 and rest of the

petitioners are directed to serve legal notice within two weeks and thereafter, respondent No.2 is directed to decide the legal notices, by passing a speaking order within a period of 8 weeks from the date of receipt of certified copy of this order with a further direction that if the petitioners are found to be entitled to the claim mentioned in the abovesaid legal notices, necessary disbursement of funds shall be made to them within a period of 8 weeks thereafter.

The petition stands disposed of.

11.09.2023
Sapna

(DEEPAK MANCHANDA)
JUDGE

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