

IN THE HIGH COURT OF PUNJAB & HARYANA, CHANDIGARH

Sr. No.: 207

Civil Writ Petition No.23533 of 2017 (O&M)

Date of Decision: *September 22, 2023*

Pooja Yadav

..... PETITIONER(S)

VERSUS

State of Haryana and others

..... RESPONDENT(S)

. . .

CORAM: **HON'BLE MR. JUSTICE TRIBHUVAN DAHIYA**

. . .

PRESENT: - Mr. Jasbir Mor, Advocate for the petitioner.

Mr. Rohit Arya, DAG, Haryana.

Mr. Kanwal Goyal, Advocate with Ms. Deepali Jindal,
Advocate for respondents No.2 and 3.

. . .

Tribhuvan Dahiya, J. (Oral)

This petition has been filed, *inter alia*, seeking a writ of *mandamus* directing the respondents to select and appoint the petitioner as Assistant Professor (College Cadre) in Commerce against one vacant post of ESM (Ex Servicemen)/DESM (Dependents of Ex Servicemen), which remained unfilled due to non-availability of candidates of the aforesaid category.

2. Learned counsel for the Commission submits that there is no vacant post of Assistant Professor (College Cadre) in Commerce for ESM/DESM category. One of the DESM category candidates had filed, CWP-14072-2017 titled *Rakesh Kumar v. State of Haryana and others*, before this Court claiming appointment against the said post. The petition has been allowed vide judgment dated 02.07.2019, and the post is to be

given to Rakesh Kumar in terms thereof. It is also submitted that the petitioner belongs to ‘dependent of freedom fighter’ category, and only if a post of DESM/ESM category remains vacant, it can be given to the freedom fighter category.

3. In view of the statement made, claim raised in the petition does not survive, and is, accordingly, disposed of having been rendered infructuous.

4. Pending miscellaneous application(s), if any, stand disposed of as having been rendered infructuous.

(Tribhuvan Dahiya)
Judge

September 22, 2023
payal

<u>Whether Speaking/ Reasoned:</u>	<u>Yes/ No</u>
<u>Whether Reportable:</u>	<u>Yes/ No</u>