

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

2023:PHHC:125914
CWP-20626-2023
Date of Decision: 25.09.2023

Satpal Kaur		...Petitioner
	Vs.	
State of Punjab and others		...Respondents

CORAM: HON’BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present Mr. Sukhdev Raj Kamboj, Advocate for the petitioner.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. The petitioner has filed this writ petition claiming that he should be offered appointment to the post of Punjabi Mistress against SC (R&O) category as per her merit.
2. Notice of motion. Ms. Shivani Sharma, DAG, Punjab, accepts notice on behalf of the respondents-State.
4. Learned counsel for the petitioner submits that a revised cut off has been declared by the respondents on 31.03.2023 and the petitioner is from SC (R&O) category who secured ‘180’ marks but could not be appointed in the earlier merit list, whereby cut off was ‘180’ with date of birth 03.03.1991 while date of birth of the petitioner was 15.07.1971, now the cut off merit has been reduced to ‘176’ with date of birth as 07.10.1991 and many persons lower in merit to the petitioner would be offered appointment but the petitioner is not being offered appointment.
5. Learned counsel appearing on behalf of the respondents has orally assisted the Court and informs that the reduced merit list was prepared in terms of orders of this Court dated 17.02.2023, passed in CWP-22959-2016 and other connected writ petitions, by following the judgment of the

Hon’ble Supreme Court in the case of **Vikas Sankhala and others vs. Vikas Kumar Aggarwal (2017) 1 SCC 350.** In the aforesaid case, this Court has observed as follows:-

“Since a period of nearly 7 years have elapsed, therefore, this order shall not give opportunity to the other candidates, who have never filed the writ petitions in due time and the benefit of the order shall only be restricted to the petitioners.”

6. In view thereof, learned counsel appearing for the respondents submits that as the petitioner was the writ petitioner before this Court earlier, he although may be higher in merit, cannot be offered appointment.
7. Learned counsel for the petitioner submits that the observation of the Court would not bind the petitioner, more so, from the earlier merit list so published laying down cut off on 10.08.2020, seven years have not elapsed.
8. I have considered the submission.
9. This Court is of the firm view that orders passed by this Court are required to be followed by the respondents/State in their true letter and spirit. If there is any requirement of correction/modification, the only remedy available is to seek review or correction of the order or by filing an appeal.
10. Leaving it open for the petitioner to take appropriate remedies, if he so chooses, this Court has no other option but to dismiss the writ petition.
- 11 The writ petition is accordingly dismissed.
12. All pending misc. application(s) also stand disposed of.

(SANJEEV PRAKASH SHARMA)
JUDGE

25.09.2023.
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1. Whether speaking/reasoned? : Yes/No
2. Whether reportable? : Yes/No