

2023:PHHC:135213

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CWP-23558-2023 (O&M)
Date of Decision:-17.10.2023

Manpreet SinghPetitioner

Versus

State of Punjab and others ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Hemen Aggarwal, Advocate for the petitioner.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks issuance of a writ in the nature of mandamus directing the respondents to fill up all the vacant posts of Constable out of the waiting list issued on 18.5.2022 (Annexure P-4) prepared against the advertisement dated 31.5.2016 (Annexure P-1).
2. Learned counsel for the petitioner submitted that pursuant to an advertisement dated 31.5.2016 (Annexure P-1) for recruitment of 7416 Constables in District Police Cadre and Armed Police Cadre of Punjab Police, the petitioner applied for the same and was initially placed in waiting list at serial No.19 issued on 19.5.2017 (Annexure P-3). It has been submitted that a revised waiting list was issued on 18.5.2022 (Annexure P-4), as per which his name figured at serial No.4 in the waiting list. It has been submitted that 3 posts were lying vacant and against the said 3 vacant posts, candidate appointed at serial No.1 did not chose to join, while the candidates at serial Nos.2 and 3 of the final waiting list dated 18.5.2022 joined the services, which would mean that 1 post is still lying vacant. It has been submitted that

for reasons best known to the respondents, the petitioner has not been offered appointment against the said vacant post.

- 3. It has been submitted that although the petitioner had served a legal notice dated 11.8.2022 (Annexure P-5) upon respondents No.2 and 3 raising the aforesaid claim and thereafter had also issued reminders dated 10.12.2022 and 15.5.2023 (Annexures P-6 and P-7), but to no avail.
- 4. Notice of motion.
- 5. On asking of the Court, Mr. Inderpreet Singh Kang, AAG, Punjab, upon whom an advance copy of petition had already been served, accepts notice on behalf of the respondent-State.
- 6. Having heard learned counsel for the petitioner and having regard to the nature of order, this Court intends to pass, it is not necessary to call for any response from the respondents. The instant petition, as such, is disposed of with a direction to respondent No.2 – Director General of Police, Punjab Police Headquarters, Sector – 9, Chandigarh and respondent No.3 – Commandant, 75th Battalion, Punjab Armed Police, District Jalandhar to get the legal notice dated 11.8.2022 (Annexure P-5) examined in accordance with law, so that the same is disposed of expeditiously.
- 7. In case, the claim of petitioner is found to be genuine, then necessary consequential steps be taken thereupon.
- 8. A copy of this order be conveyed to respondents No.2 and 3 so as to enable them to comply with this order expeditiously preferably within a period of 2 weeks from today.

17.10.2023

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned
Whether Reportable

Yes / No
Yes / No