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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CWP-27701-2022 (O&M)  
Date of decision: 24.05.2023

SUSHIL KUMAR AND OTHERS

...Petitioners

VERSUS

STATE OF HARYANA AND OTHERS

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Anil Mehta, Advocate and  
Ms. Sukriti Kaur, Advocate  
for the petitioners.

Mr. Dushyant Saharan, AAG, Haryana  
for respondents No.2, 5 and 6.

Mr. Padamkant Dwivedi, Advocate  
for respondents No.3 and 4.

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**JAISHREE THAKUR, J. (Oral)**

1. The petitioners herein are seeking a direction to the respondents to join them on the post of Mandi Supervisor-cum-Fee Collector and Auction Recorder advertised vide advertisement No.7/2015 dated 10.07.2015 (Annexure P-1) under categories No.17 and 19 under EBPG Category in Haryana State Agriculture and Marketing Board.
2. The appointment of the petitioners came under challenge as the petitioners were held ineligible. However, during the proceedings of the writ

petition and on the basis of various orders passed by this Court, appointment has been offered to the petitioners.

3. At this juncture, learned counsel for the petitioners would submit that pursuant to the appointment orders dated 16.05.2023, the petitioners have joined the service. However, they have been denied the notional benefits.

4. Learned counsel for respondents No.3 and 4 would submit that at the moment, the petitioners have been permitted to join on the post of Mandi Supervisor-cum-Fee Collector and Auction Recorder, with the caveat that their appointment would be subject to final decision of the Supreme Court in *SLP(C) 23544-23547 of 2016*, titled as *State of Gujarat and others versus Ms. Dulari Mahesh Basarge and another.* The appointment letters of the petitioners dated 16.05.2023, are taken on record as Mark-A.

5. Consequently, the instant writ petition is disposed of as having been rendered infructuous. In case the petitioners are successful by virtue of the judgment passed in aforesaid SLP, the claim for their notional benefits would be considered. The petitioners would be at liberty to approach the authorities concerned by filing an appropriate application, which will be decided expeditiously, in accordance with law.

24.05.2023  
Chetan Thakur

(JAISHREE THAKUR)  
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No