

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

CWP-1863-2020 (O&M)

Date of decision: 10.04.2023

Jagwant Singh

....Petitioner

Versus

State of Punjab and others

..Respondents

CORAM: HON'BLE MR JUSTICE ANIL KSHETARPAL

Present:- None for the petitioner

Mr. D.K.Singal, Addl. AG, Punjab

ANIL KSHETARPAL, J (Oral)

1. Case has been called out twice. The learned counsel representing the petitioner did not come forward to assist the Court.

2. With the able assistance of the learned State counsel, this Court has examined the facts of the case. The petitioner prays for issuance of a writ in the nature of Mandamus directing the respondents to fill up the posts of Physical Training Instructors (PTI) in view of the notification dated 20.12.2001, while giving preference to the Scheduled Caste category (Vimukh Jatti and Bazigars). The petitioner claims that the preference is required to be given to the Scheduled Caste category (Vimukh Jatti and Bazigars) in view of the instructions dated 20.12.2001. In fact, the instructions dated 20.12.2001 came up for interpretation before this Court in CWP-8833-2013 and other connected cases titled as '**Agya Pal and another vs. State of Punjab and others**' decided on 23.03.2023. After considering the instructions, it has been held that the

instructions dated 20.12.2001 provide for 2 % reservation to the candidates belonging to Vimukh Jatti and Bazigars castes only if there are posts that remain unfilled in the quota meant for the Balmikis, Mazhbi Sikhs, Scheduled Caste (Ex-serviceman) and Scheduled Caste (Sportsman). This Court has no doubt that the aforesaid judgment shall be implemented by the State Government.

3. With these observations, the present writ petition is disposed of.

4. All the pending miscellaneous applications, if any, are also disposed of.

10.04.2023

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No

(ANIL KSHETARPAL)
JUDGE