



CWP-211-2021

-1-

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

236

CWP-211-2021

Date of decision: 20.08.2024

Goral Lal @ Gora Lal

...Petitioner

**Versus**

State of Punjab &amp; others

...Respondents

**CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ**

**Present :** Mr. Sanjay Singh, Advocate for  
Mr. Rajeshwar Singh Thakur, Advocate  
for the petitioner.

Ms. Niharika Sharma, AAG, Punjab.

Mr. Vinish Singla, Advocate,  
for respondent No.3.**VINOD S. BHARDWAJ, J. (Oral)**

The present petition has been filed against appointment of respondent No.3 to the post of Executive Officer.

Reply dated 27.02.2024 by way of affidavit of Manjit Singh, Under Secretary, Department of Local Government, Punjab, has been filed.

The relevant extract thereof reads thus:-

*“3. That in this regard it is submitted that the answering respondents had advertised various posts including 14 posts of Executive Officer Class-3 in Municipal Councils vide Advertisement No.3/98 dated 20.03.1998 (P-1). Subsequently a corrigendum was issued on 18.07.1998 (P-2) whereby the number of posts of Executive Officers Class-3 was increased from 14 to 34. The qualification for the post of Executive Officer Class-3 was as under: -*



CWP-211-2021

-2-

*"Degree in law with an experience of minimum period of 3 years on a post not lower than the rank of Superintendent in Municipal Council or an equivalent post in the department of Government or has at least three years been an Advocate or Post Graduate, at least Second Division with an experience for minimum period of one year on a post not lower than the rank of a Superintendent in MC or equivalent post in a department of the Government.*

*4. That in pursuant to the advertisement No.3/98 the interviews were conducted in the month of November-December, 1998 in which the respondent No.3 was also selected and offered an appointment letter on 16.04.1999 (P-3). Further submitted that numerous writ petitions were filed before this Hon'ble Court challenging the selections made to the various posts mentioned in the advertisement No.3/98. This Hon'ble Court had disposed of the said writ petitions vide order dated 14.12.2000 (P-4) by observing as under: -*

*"In view of the above, we dispose of the writ petitions with the following directions:-*

*(i) Fresh selection should be made by the official respondents in accordance with the method suggested by learned Deputy Advocate General. The same shall be completed, as far as possible, within four months, but latest within six months.*

*(ii) The experience gained by the non-official respondents by virtue of their appointments made in pursuance of the impugned selection shall not be taken into consideration at the time of fresh selection.*

*(iii) Till the finalization of the fresh selection in the manner indicated above, the non-official respondents shall be allowed to continue of their respective posts. If they are selected in the fresh selection, then they shall be deemed to have been continued in service without any break. However, such of them, who are not selected in the fresh selection shall not be entitled to continue in service and the*



CWP-211-2021

-3-

*newly selected candidates shall be given appointment within 16 days of the declaration of the result. The inter se seniority of the candidates appointed in pursuance of the selection made hereinafter shall be determined according to the merit assigned by the selection committee."*

5. *That after passing of the aforesaid order by the Division Bench of this Hon'ble Court on 14.12.2000, a fresh Selection Committee was constituted which conducted the interviews and declared the result. However, the respondent No.3 was declared unsuccessful as he was not possessing the requisite qualification/ experience for the post of Executive Officer Class-3 as mentioned in the advertisement. Subsequently, a order dated 26.11.2001 (P-5) was passed by the answering respondents whereby he was relieved from the service with immediate effect. However, the relieving order passed by the answering respondents was challenged by respondent No.3 before this Hon'ble Court by preferring CWP No.17911 of 2001 titled as "Surinder Kumar vs. State of Punjab & Anr."*

6. *That this Hon'ble Court while taking up the above-mentioned writ petition preferred by respondent No.3 had passed the following orders on 07.01.2002:-*

*"In CWP 17911 of 2001*

**C.M. 342 of 2002**

*Allowed as prayed.*

**C.M.343 of 2002**

*Notice to Advocate General, Punjab for the date already fixed in the main case.*

*Meanwhile the petitioner will be allowed to continue on the post of Executive Officer."*

*In the meantime, the answering respondents had filed a detailed reply on 30.07.2002 in which it was also prayed that the interim order dated 07.01.2002 may kindly be vacated. A copy of the said reply is annexed herewith as Annexure R-1/1. However, this Hon'ble Court on 06.01.2003 had admitted the writ petition preferred by respondent No.3 and thus the interim*



CWP-211-2021

-4-

*order was remained continue. Under the garb of the stay granted by this Hon'ble Court the respondent No.3 was remained to continue in service and finally superannuated on 30.04.2021.*

*7. That the writ petition preferred by respondent No.3 was finally came up for hearing on 13.01.2023 before this Hon'ble Court wherein the said petition was rendered infructuous as the respondent No.3 after putting 22 years in service was superannuated and he was also granted all his retiral benefits. A copy of the order dated 13.01.2023 is annexed herewith as Annexure R-1/2."*

I am taking into consideration the aforesaid factual aspect and also considering that respondent No.3 rendered 22 years of service and since superannuated on 30.04.2021, I find that the issue involved before this Court is only academic with no real purpose to be served.

The writ petition is, accordingly, disposed of as having been rendered infructuous.

**20.08.2024**  
**monika**

**(VINOD S. BHARDWAJ)**  
**JUDGE**

Whether reasoned/speaking: Yes/No  
Whether reportable: Yes/No