

IN THE PUNJAB AND HARYANA HIGH COURT AT
CHANDIGARH

223

CWP-1121-2020
Date of Decision: 18.03.2024

KULDIP KUMAR KAURA

... Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

... Respondents

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

Present: Ms. Jasleen Kaur, Advocate for
Mr. H.C. Arora, Advocate for the petitioner.

Mr. Saurav Verma, Addl. A.G., Punjab.

VINOD S. BHARDWAJ, J. (ORAL)

The instant writ petition has been filed for seeking issuance of a writ of *quo warranto* for removal of the respondents No.3 to 12, who were alleged to have been appointed on various posts in the office of Director, Rural Development and Panchayat Department, after their superannuation on contract basis at consolidated salary.

Reply dated 06.12.2022 on behalf of the respondents was filed before this Court, wherein specific plea has been taken by the respondent-Department that as per Rule 7.17 of the Punjab Civil Services Rules, Volume-II, a pensioner can be re-employed by the Government and that the engagement of the private respondents was undertaken in exercise of the said power. He further contended that from amongst respondents No.3 to 12, respondents No.3 to 8, 10 and 12 have already been relieved. Respondents No.3 to 7 were relieved on 28.07.2020; respondents No.8 and 10 were relieved on 31.12.2021 and respondent No.12 was relieved on 31.05.2022. It was also stated that there are 11 posts of Clerks, 07 posts of Assistant and one post of Law Officer, which were lying vacant in the department and that currently only two persons i.e. respondents No.9 and 11 are continuing under the re-appointment as per the provisions of Rule 7.17 and 7.18 of the Punjab Civil Services Rules.

Even though the said reply was filed by the respondents in the year 2022 and a period of nearly one and half year has elapsed since then, the factual objections taken therein have not been controverted.

The present writ petition is accordingly disposed of as having been rendered infructuous at this stage.

MARCH 18, 2024
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(VINOD S. BHARDWAJ)
JUDGE

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