

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203 (05 cases)

(1)CWP-17421-1999 (O&M)
Date of Decision :30.01.2024

Mohinder Singh Goyat

...Petitioner

Versus

State of Haryana and others

....Respondents

(2) CWP-18170-1999 (O&M)

Jai Singh Dalal

...Petitioner

Versus

State of Haryana and others

....Respondents

(3) CWP-6807-1999 (O&M)

Subhash Chander

...Petitioner

Versus

State of Haryana and others

....Respondents

(4) CWP-16228-1999 (O&M)

Tarsem Lal Sharma

...Petitioner

Versus

State of Haryana and others

....Respondents

(5) CWP-8020-1999 (O&M)

Rishi Raj Sharma

...Petitioner

Versus

State of Haryana and others

....Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gurinder Pal Singh, Advocate for the petitioners.

Mr. Pankaj Nanhera, Advocate with
Mr. Paramveer Singh, Advocate for the petitioner
in CWP-6807-1999.

Mr. Saurabh Mohunta, DAG, Haryana.

Ms. Harpriya Khaneka, Advocate for respondent-HPSC.

* * *

Harsimran Singh Sethi, J. (Oral)

1. In the present petitions, challenge is to the selection for the post of HCS (Executive Branch).

2. It may be noticed that the said selection was made in the year 1999 by way of nomination from the candidates, who have already worked with the Government of Haryana.

3. Learned counsel for the petitioners submits that as of now all the private respondents whose selection was under challenge in the present petitions must have retired but the claim of the petitioners still subsists as to whether the selection in question was correct or incorrect.

4. Keeping in view the fact that the private respondents not only performed their duties on the post in question i.e. HCS (Executive Branch) but have also retired from service as of now hence, after a period of 24 years, no benefit can be granted with regard to the validity of their appointment by way of nomination in the HCS cadre at this stage.

5. Learned counsel for the petitioners submits that in case the benefit has wrongly been denied to the petitioners, the petitioners are entitled for the grant of compensation.

The said claim can only be decided by the Civil Court after

appreciating the evidence as to whether any wrong was done inadvertently or intentionally. In the present case, no relief can be granted to the petitioners qua the compensation in the absence of any evidence to the said effect being available on record and in case the petitioners feels that they are entitled for compensation, they are at liberty to avail an appropriate remedy for the same if admissible, at this stage.

7. Keeping in view the facts and circumstances noticed hereinbefore, the present petitions are disposed of in the above terms.
8. Photocopy of this order be placed on the file of connected cases.
9. Civil miscellaneous application pending if any is also disposed of.

January 30, 2024
aarti

(HARSIMRAN SINGH SETHI)
JUDGE

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