

CWP-18674-1998 (O&M)

Date of Decision : 24-10-2024

DR. BAHADUR SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB AND ORS.

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Swarn Sandhir, Advocate for the petitioner.

Mr. Satnampreet Singh Chauhan, DAG Punjab.

Ms. Promila Nain, Advocate with
Ms. Harveen Mehta, Advocate
For respondent No.10.**HARSIMRAN SINGH SETHI, J. (Oral)**

In the present petition, the grievance being raised by the petitioner is that the respondents issued an advertisement for making appointment to the post of Lecturer/Demonstrator in the Department of Raj Shashtra in Government Ayurvedic College, Patiala which advertisement was withdrawn by the respondent-Department and the private respondents who are working on ad-hoc basis, their services have been regularised, which is causing prejudice to the petitioner.

Learned counsel for the petitioner submits that without any valid justification, the advertisement adjusting the post of Demonstrator has been withdrawn and no post has been given to the Scheduled Caste candidate within the Department in the cadre of Demonstrator.

Learned counsel for the respondent submits that a conscious decision was taken to withdraw the advertisement by issuing a public notice and the said public notice is not under challenge at the hands of the

petitioner and once no direct recruitment has been made, the question whether the post has been reserved for the reserved category or not does not arise”

With regard to the regularisation of services of the private respondent, learned counsel for the respondents submits that as per the reply, the private respondents were working on the post in question and keeping in view of the policy which was issued by the Government, their services have been regularised hence, the petitioner who is not in service, cannot make any grievance with regard to the regularisation of the services of the private respondents who are already working with the respondent-Department since long.

The learned counsel for the petitioner submits that the grievance has been raised with regard to the withdrawal of the advertisement.

I have heard learned counsel for the parties and have gone through the records of the present case with their able assistance.

The first grievance of the petitioner is that the respondent had issued an advertisement advertising the post of the Demonstrator in which, the reservation in the form of Scheduled Caste Candidates was not provided. It is a conceded position that the said advertisement has already been withdrawn and no selection has been made in pursuance to the said advertisement. Once, the advertisement against which the petitioner has raised the grievance has already been withdrawn, no question arises for determining as to whether, the said advertisement, which was causing prejudice, was validly issued or not.

With regard to the regularisation of the services of the private respondents, it may be noticed that the State had issued a policy for regularising the services of the ad hoc employees who are working with the State. Once under the said policy, the claim of the private respondents was considered and their services were regularised, the petitioner, who is not in service, cannot raise any grievance with regard to regularisation of the services of the private respondents.

With regard to the grievance that no post was given to the Schedule Caste candidate by way of a direct recruitment, the same cannot be considered at this stage when 26 years have passed.

Moreover, the petitioner by this date, has already being overage and no factum as to whether, after the filing of the petition, any post was advertised by way of direct recruitment in the cadre of Demonstrator was issued and recruitment was made in pursuance to the same, has come on record.

Keeping in view of above, no ground is made out for any interference by this Court in the present petition.

Hence, the present petition is dismissed.

Pending application, if any, also stands disposed of.

24-10-2024
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking: YES/NO
Whether reportable: YES/NO