



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

208

CWP-9293-2000
Date of decision : 23.08.2024

Nek RajPetitioner

V/S

State of Punjab and othersRespondents

CORAM : HON'BLE MR. JUSTICE NAMIT KUMAR

Present: Mr. Aayush Goyal, Advocate and
Mr. Manjit Singh, Advocate for
Mr. Vishal Aggarwal, Advocate for the petitioner.

Mr. Surya Kumar, A.A.G., Punjab.

Mr. Ritesh Aggarwal, Advocate for respondents No.2 to 4.

NAMIT KUMAR, J. (ORAL)

1. The petitioner has filed the instant writ petition under Articles 226/227 of the Constitution of India seeking a writ of certiorari, quashing the selection of respondents No.5 to 13 or other selected candidates for the post of Octroi Clerk, who were found ineligible and wrongly selected on the said post. Further sought a writ of mandamus, directing respondents No.1 to 4 to appoint the petitioner as Octroi Clerk.
2. Learned State counsel and learned counsel for respondents No.2 to 4, on instructions from respondent No.4, submits that during the pendency of the present writ petition, respondent No.5 has been promoted to the post of Junior Engineer and has been transferred to some other Municipal Committee; respondent No.6 and 10 have died; respondents No.7 to 9 are working as Clerks in Municipal Council,



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Sujanpur; respondent No.11 has been promoted as Sanitary Inspector and has been transferred to some other Municipal Council; respondent No.12 has retired and unfortunately died and respondent No.13 promoted as Sanitary Inspector and has also unfortunately died.

3. Learned counsel for respondents No.2 to 4 further submits that on a complaint filed by some person, the matter was enquired by the Vigilance Committee with regard to selection and appointment of the private respondents and in the enquiry report dated 07.04.2006 submitted by the Vigilance Committee nothing incriminating was found against the selection and appointment of the private respondents. He further submits that with the efflux of time the present petition has been rendered infructuous.

4. Since a period of 24 years have elapsed, neither the selection and appointment of the private respondents can be set aside at this stage nor any relief can be granted to the petitioner.

5. Disposed of.

23.08.2024

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(NAMIT KUMAR)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether Reportable:	Yes/No