

CWP-14807-2011 (O&M) and other connected matters

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IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

(215 + 220)

Date of Decision: 21.08.2024

1. CWP-14807-2011 (O&M)

SANDEEP SINGH AND OTHERS

...PETITIONERS

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS
2. CWP-11728-2014 (O&M)

NEETU

...PETITIONER

VERSUS

STATE OF PUNJAB & ORS

...RESPONDENTS
3. CWP-12114-2016 (O&M)

PARMINDER KAUR

...PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

...RESPONDENTS
4. CWP-14121-2016 (O&M)

MEENU SHARMA

...PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

...RESPONDENTS
5. CWP-14800-2015 (O&M)

AMRIT KAUR

...PETITIONER

VERSUS

STATE OF PUNJAB & ORS

...RESPONDENTS
6. CWP-17074-2011 (O&M)

AVTAR SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

...RESPONDENTS

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7. CWP-18982-2014 (O&M)

DEEPAK SINGH AND ORS.

...PETITIONERS

VERSUS

STATE OF PUNJAB AND ORS.

...RESPONDENTS

8. CWP-19216-2014 (O&M)

SUMAN

...PETITIONER

VERSUS

STATE OF PUNJAB AND OTHERS

...RESPONDENTS

9. CWP-19653-2014 (O&M)

GURVEER SINGH & ORS

...PETITIONERS

VERSUS

STATE OF PUNJAB & ORS

...RESPONDENTS

10. CWP-19760-2014 (O&M)

GAGANDEEP SINGH AND OTHERS

...PETITIONERS

VERSUS

STATE OF PUNJAB AND ANOTHER

...RESPONDENTS

11. CWP-19966-2014 (O&M)

CHETAN SHARMA

...PETITIONER

VERSUS

STATE OF PUNJAB & ORS

...RESPONDENTS

12. CWP-20008-2014 (O&M)

BALJINDER SINGH AND ORS.

...PETITIONERS

VERSUS

STATE OF PUNJAB AND ORS.

...RESPONDENTS

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13. CWP-20642-2014 (O&M)

GURJIT SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB AND ORS.

...RESPONDENTS

14. CWP-20715-2014 (O&M)

SAMRIT GILL

...PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

...RESPONDENTS

15. CWP-20844-2014 (O&M)

NARINDER MOHAN VASHISHAT AND ANR

...PETITIONERS

VERSUS

STATE OF PUNJAB & ORS

...RESPONDENTS

16. CWP-21062-2014 (O&M)

AVTAR SINGH GILL

...PETITIONER

VERSUS

STATE OF PUNJAB AND ANR

...RESPONDENTS

17. CWP-21188-2017 (O&M)

NAVJEET KAUR

...PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

...RESPONDENTS

18. CWP-21452-2014 (O&M)

EKTADEEP KAUR

...PETITIONER

VERSUS

STATE OF PUNJAB AND ORS.

...RESPONDENTS

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19. CWP-22181-2014 (O&M)

NARINDERJIT SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB & ORS

...RESPONDENTS

20. CWP-23177-2014 (O&M)

SATWINDER SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB & ORS

...RESPONDENTS

21. CWP-23478-2014 (O&M)

RINKI RAI

...PETITIONER

VERSUS

STATE OF PUNJAB & ORS

...RESPONDENTS

22. CWP-23788-2014 (O&M)

MANJINDER PAL SHARMA

...PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

...RESPONDENTS

23. CWP-25758-2017 (O&M)

NATHANIEL

...PETITIONER

VERSUS

STATE OF PUNJAB AND ORS.

...RESPONDENTS

24. CWP-323-2016 (O&M)

GURPREET SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB & ANR

...RESPONDENTS

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25. CWP-4422-2015 (O&M)

AMRISH WALIA

...PETITIONER

VERSUS

STATE OF PUNJAB AND ORS.

...RESPONDENTS

26. CWP-5413-2015 (O&M)

JASBIR KAUR

...PETITIONER

VERSUS

STATE OF PUNJAB AND ANR

...RESPONDENTS

27. CWP-8283-2015 (O&M)

PARDEEP KUMAR

...PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

...RESPONDENTS

28. CWP-15761-2011 (O&M)

BABITA

...PETITIONER

VERSUS

STATE OF PUNJAB AND ORS.

...RESPONDENTS

29. CWP-10131-2014 (O&M)

ANITA SHARMA

...PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

...RESPONDENTS

30. CWP-24535-2014 (O&M)

SUNIL KUMAR

...PETITIONER

VERSUS

STATE OF PUNJAB AND ORS

...RESPONDENTS

**CWP-14807-2011 (O&M) and other connected matters****6****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Baltej Singh Sidhu, Sr. Advocate with
Mr. Gurpreet Singh Brar, Advocate
for the petitioner(s) in CWP-19760-2014.

Mr. Amit Mehta, Advocate
for the petitioner(s) in CWP-14807-2011 and
CWP-24535-2014.

Mr. Harcharan Dass Kathpal, Advocate for
Mr. Vipul Babuta, Advocate
for the petitioner(s) in CWP-19966-2014.

Mr. Anchit Gupta, Advocate for
Mr. Davinder Singh Khurana, Advocate
for the petitioner(s) in CWP-4422-2015.

Mr. Ramneek Vasudeva, Advocate
for the petitioner(s) in CWP-20642-2014.

Mr. Amardeep Singh Gill, Advocate
for the petitioner(s) in CWP-21062-2014.

Mr. Kapil Kakkar, Advocate
for the petitioner(s) in CWP Nos.19216 and 21452 of 2014.

Mr. R.D. Bawa, Advocate and
Mr. Samuel Gill, Advocate,
for the petitioner(s) in CWP-20715-2014.

Mr. V.P. Sangwan, Advocate
for the petitioner(s) in CWP-21188-2017.

Mr. Deepak Goyal, Advocate
for the petitioner(s) in CWP-25758-2017.

Mr. Gurpreet Singh, Advocate for
Mr. G.P.S. Bal, Advocate
for the petitioner(s) in CWP-12114-2016.

Mr. M.K. Dogra, Advocate
for the petitioner(s) in CWP-18982-2014.

Mr. Satbir Rathore, Advocate
for the petitioner(s) in CWP-14121-2016.

Mr. Mohd. Sultan, Advocate and
Mr. Vivek Sharma, Advocate
for the petitioner(s) in CWP-23788-2014.

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Mr. Aditya Narayan, Advocate for
Mr. Rahul Sharma, Advocate
for the petitioner(s) in CWP-19653-2014.

Mr. Ashish Nagar, Advocate
for the petitioner(s) in CWP-19966-2014.

Mr. T.P.S. Chawla, Sr. DAG, Punjab.
Mr. Swapan Shorey, DAG, Punjab.

Mr. Achin Gupta, Sr. Panel Counsel
for respondent No.2-UOI in CWP-4422-2015.

Mr. Gurmeet Singh Saini, Advocate
for respondent No.167 in CWP-19966-2014.

Mr. R.S. Pathania, Advocate
for respondent No.20 in CWP-19966-2014.

Mr. Abhinav Singla, Advocate for
Mr. Tushar Sharma, Advocate
for respondent No.5 in CWP-20008-2014.

Mr. Kavinder Singh Chiibber, Advocate for
Mr. Tarun Vir Singh Lehal, Advocate for UGC.

Mr. David Sardana, Advocate for
Mr. Puneet Sharma, Advocate
for respondent No.4 in CWP-20715-2014.

Mr. Nitin Kaushal, Advocate,
for respondent No.5 in CWP-21188-2017,
for respondent No.3 in CWP-19966-2014 and
for respondent No.5 in CWP-20642-2014.

Mr. Mrigank Sharma, Advocate
for the petitioner in CWP-5413-2015 and
for respondent No.67 in CWP-20008-2014 and
for respondent No.3 in CWP-19653-2014.

Mr. Rajesh Punj, Advocate for
Mr. Tribhawan Singla and
Ms. Ishita Jain, Advocates,
for the petitioner in CWP-20844-2014,
for respondent No.3 in CWP-20642-2014,
for respondent No.4 in CWP-4422-2015,
for respondent No.3 in CWP-20715-2014 and
for respondent No.3 in CWP-12114-2016 and
for respondent No.3 in CWP-24535-2014.

Mr. Pawan Kumar Mutneja, Sr. Advocate with

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Mr. Abhishek Joon, Advocate and
Ms. Dilpreet Kaur, Advocate
for respondent No.2 in CWP-19653-2014 and
for respondents No.6 & 7 in CWP-20008-2014.

HARSIMRAN SINGH SETHI, J.(ORAL)

In the present bunch of petitions, the grievance being raised by the petitioners is that they are to be considered eligible for selection to the various posts, which were advertised on 26.07.2011 (Annexure P-7). The petitioners competed for the post of Medical Laboratory Technician, Grade-II and their claim were considered but on various grounds, they were not selected against the advertised posts, which grievance have been raised by the petitioners in the present petitions.

It may be noticed that during the pendency of present writ petitions, the same grievance which are raised in these petitions came up for consideration before the Hon'ble the Supreme Court of India in Civil Appeal No.11150 of 2017, titled "*Sukhwinder Kumar Vs. State of Punjab and Ors.*", decided on 04.09.2017. Keeping in view the judgment of Hon'ble the Supreme Court, the respondents considered the claim of each of petitioner in the present bunch of petitions and gave reasons for not accepting the claim of the petitioners for appointment to the post of Medical Laboratory Technician, Grade-II. All these reasons have already been placed on record by way of additional affidavit of Dr. Adarsh Pal Kaur, Director, Health and Family Welfare, Punjab, dated 21.09.2023.

Learned counsel for the petitioners submits that the reasons which have been given to oust the petitioners from the zone of consideration are not correct. On being asked, whether any grievance to the said effect has been raised with the authorities concerned, learned counsel for the petitioners

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submits that in case, given a chance, the same will be raised before the authorities concerned and a direction be issued to the authorities to decide the same by passing an appropriate order by noticing all the contentions raised qua the disqualification of the petitioners as mentioned in the affidavit dated 21.09.2023.

Learned State counsel on instructions from the respondents submits that in case, any of the petitioner is aggrieved against the decision of the department with regard to their disqualification as mentioned in the affidavit dated 21.09.2023, and grievance is raised, the said grievance will be decided within a period of two months from the date the same is received by passing an appropriate speaking order by keeping in mind the judgment of Hon’ble the Supreme Court decided on 04.09.2017.

At this stage, learned counsel for the petitioners submits that present petitions may kindly be disposed of having been not pressed with liberty to petitioners to raise their grievance before the authorities concerned.

Writ petitions are accordingly disposed of being not pressed with the liberty as aforesaid.

Photocopy of this order be placed on all the connected case files as numbered above.

Pending application, if any, shall stands disposed of.

(HARSIMRAN SINGH SETHI)

JUDGE

21.08.2024

Manpreet

Whether speaking/reasoned

:

Yes/No

Whether reportable

:

Yes/No