



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

212

CWP-14750-2022 (O&M)
Decided on :24.05.2024

JATINDER KAUR . petitioner
Versus

STATE OF HARYANA AND OTHERS . . . Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

PRESENT: Mr. Shvetanshu Goel, Advocate for the petitioner.

Mr. Pankaj Middha, Additional Advocate General, Haryana.

Mr. Amrit Paul, Advocate for respondents No. 3 to 5.

HARSIMRAN SINGH SETHI, J. (Oral)

1. In the present petition, the grievance being raised by the petitioner is that respondent No. 5 has been given the charge of Registrar though she was not eligible for the said post of Registrar. Further prayer of the petitioner is for filling up the post of Registrar on regular basis in accordance with law.

2. Upon notice of motion, the respondents have filed their reply and in the reply they have stated that the private respondent No. 5 has now been retired from the service vide order dated 31.05.2022 (Annexure R-1) and is no longer holding the charge on the post of Registrar. It is further mentioned in the reply that as and when the post of Registrar will be filled-up, the procedure envisaged under Rules/ guidelines/terms and conditions will be adhered to qua all the eligible persons will be considered.

3. I have heard learned counsel for the parties and have gone through the case file with their able assistance. ,

4. The first claim of the petitioner does not survive longer qua



giving the charge of Registrar to respondent No. 5 as she has already been retired from service and no longer working with the department concerned. Once, respondent No. 5 is no longer working with the department concerned, no order is required to be passed to decide as to whether the charge given to respondent No. 5 on the post of Registrar was valid or not. Further, this Court has been informed that as of now, the Deputy Registrar of the department concerned is holding the charge on the post of Registrar.

5. With regard to prayer of the petitioner regarding filling up the post of Registrar, respondents have already mentioned in their reply that as and when the post of Registrar will be filled-up on regular basis, the same will be filled up in accordance with law, that would suffice the claim of the petitioner.

6. Keeping in view the facts and circumstances recorded herein above, the present petition is disposed of with direction to the respondents that as and when the respondents decide to fill up the post of Registrar on regular basis, the rule governing the service or the decision of the competent authority which ever is to be implemented, will be taken into account for filling up the post of Registrar on regular basis.

7. Pending civil miscellaneous application, if any, stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

24.05.2024

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Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No