

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

246

CWP-15382-2022

Date of Decision :30.01.2024

Amit Kumar**...Petitioner****Versus****State of Haryana and others****....Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. S.K. Nehra, Advocate for the petitioner.

Mr. Pankaj Middha, Addl. A.G. Haryana.

* * *

Harsimran Singh Sethi, J. (Oral)

1. In the present petition, challenge is to show cause notice dated 11.07.2022 (Annexure P/7) issued by the respondents to the petitioner.
2. As per the facts mentioned in the petition, the petitioner competed for the post of Junior Engineer (Civil) in pursuance to the advertisement dated 10/2019 issued by the respondent-State. The petitioner was placed at Sr. No.1 in the waiting list and keeping in view the vacancy arising, the petitioner was given appointment on 13.10.2021, on which post, in pursuance to the appointment letter, the petitioner joined and started serving.
3. Thereafter, a show cause notice was issued to the petitioner on 11.07.2022 (Annexure P/7) that the waiting list has been revised by the department and one candidate namely, Paramjeet Singh has been brought in

the selection zone hence, the post offered to the petitioner from the waiting list is to be given to said Paramjeet Singh and services of the petitioner are to be terminated. The said show cause notice has been challenged by the petitioner in the present petition.

4. It may be noticed that keeping in view the interim order passed by this Court, petitioner is continuing in service.

5. Learned counsel for the petitioner submits that said Paramjeet Singh has been adjusted against another vacancy and he was given appointment in the Irrigation Branch, where he has already joined.

6. Learned counsel for the petitioner further submits that as the Paramjeet Singh, who was to be adjusted in the place of the petitioner, has already been adjusted in the Irrigation Branch and the writ petition filed by him claiming appointment has already been rendered infructuous, show cause notice dated 11.07.2022 (Annexure P/7) issued by the respondents to the petitioner has been rendered infructuous and the same be not given effect to especially when fresh recommendation has already been made by the Haryana Staff Selection Commission recommending the name of the petitioner for appointment to the post of Junior Engineer (Civil)

7. Learned counsel for the respondents does not dispute the facts which have been stated hereinbefore and submits that once the fresh recommendation, recommending the name of the petitioner has already been made by the Haryana Staff Selection Commission, an appropriate action will be taken by the Government.

8. I have heard learned counsel for the parties and have gone through the record with their able assistance.

9. Keeping in view the certain facts, which have come into

operation after the impugned show cause notice was served upon the petitioner, i.e. Paramjeet Singh, who was to be adjusted against the post against which the petitioner was working, has already been appointed on the post of Junior Engineer in the Irrigation Department and fresh recommendation of the petitioner for appointment on the post of Junior Engineer (Civil) has already been made by the Haryana Staff Selection Commission coupled with the fact that keeping in view the interim order passed by this Court, petitioner is continuing in service, show cause notice dated 11.07.2022 (Annexure P/7) has been rendered infructuous especially, when it is not the case of the respondents that the services of the petitioner are still to be terminated after the fresh revised recommendations by the Haryana Staff Selection Commission.

10. Keeping in view the above, present petition is disposed of with the observation that no further action be taken in pursuance to the show cause notice dated 11.07.2022 (Annexure P/7).

January 30, 2024

aarti

(HARSIMRAN SINGH SETHI)

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No