



CWP-17961-2024

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

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CWP-17961-2024

Date of Decision : 02.09.2024

RAMANDEEP SHARMA

.... PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

.... RESPONDENTS

CORAM : HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Gurpreet Singh, Advocate
for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking setting aside of selection of respondent No.3-Accharpreet Bhardwaj who belongs to general category.

2. The petitioner along with other candidates, pursuant to advertisement, applied for the post of Legal Officer. As per advertisement, there were 04 seats meant for general category and one seat for Ex-serviceman (General). The petitioner belongs to general category, thus, his grievance is confined to general category candidates.

He claims that respondent No.3-Accharpreet Bhardwaj has been selected



despite being at serial No.2 in the waiting list whereas petitioner despite being at serial No.1 has not been selected.

3. Notice of motion.

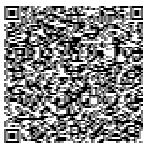
4. Mr. Aman Dhir, DAG, Punjab, who on advance notice is present in Court, accepts notice on behalf of respondents and waives service.

5. With the consent of both sides, the case is taken up for final adjudication.

6. Reply dated 31.08.2024 by way of affidavit of Sarabjit Singh, PPS, Assistant Inspector General of Police, Litigation, Bureau of Investigation, Punjab, is taken on record. Registry is directed to tag the same at appropriate place.

7. Mr. Aman Dhir, DAG, Punjab submits that it is factually incorrect that Accharpreet Bhardwaj has been selected against general category seat whereas she has been selected against Ex-serviceman (General) Category. There was one seat for Ex-serviceman (General) which was meant for woman candidates. The selected candidate did not join despite repeated reminders, thus, seat was offered to Accharpreet Bhardwaj who has joined against the said seat. Accharpreet Bhardwaj has not joined against the 04 seats meant for general category candidates.

8. Faced with this, Mr. Gurpreet Singh, Advocate submits that one candidate namely Sandeep Sharma was selected against the seat meant for general category but has resigned, thus, the petitioner should be considered being at Serial No.1 in the waiting list.



9. Mr. Aman Dhir, DAG, Punjab submits that case of the petitioner would be considered in the light of advertisement and other applicable rules.

10. In the wake of statement of the parties, the present petition stands disposed of with a direction to the Recruitment Board to consider case of the petitioner against seat vacated by Sandeep Sharma, in accordance with terms and conditions of advertisement as well as applicable rules and regulations.

(JAGMOHAN BANSAL)
JUDGE

02.09.2024
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Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No