

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

116+248/5

CWP-17176-2023 (O&M)
Date of Decision: 06.02.2024

Satwinder Singh Judge

...Petitioner

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Fateh Singh Dhillon, Advocate for the petitioner
Mr. Aman Dhir, Deputy Advocate General, Punjab

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Article 226 of the Constitution of India is seeking setting aside of result dated 24.07.2023 (Annexure P-9) for the post of Information Technology Assistant (Software) (for short 'ITA').
2. The petitioner belongs to Ex-Serviceman (Backward Class) category. He pursuant to advertisement No.5 of 2021 applied for the post of ITA. He had also applied for the post of Information Technology Officer (for short 'ITO'). The minimum experience for the post of ITA was 2 years and ITO was 7 years. The respondent-State in the final result of ITO has placed the petitioner at Serial No.2 of waiting list. The petitioner's candidature qua ITA has been rejected on the ground of experience and seats lying vacant in the category of Ex-Serviceman (Backward Class) have been transferred to Backward Class Category.

3. Learned counsel for the petitioner submits that there were four seats meant for Ex-Servicemen (Backward Class) and respondent-State has filled up only one seat. Three seats have been transferred to Backward Class Category. The petitioner was available, thus, seats could not be transferred without considering candidature of the petitioner. The respondent-State has placed the petitioner in waiting list qua ITO which indicates that respondent has accepted experience of the petitioner.

Learned counsel for the petitioner further submits that at this stage respondent-State may consider claim of the petitioner qua post of ITA.

4. Faced with this, learned State counsel asserts that competent authority would re-consider claim of the petitioner qua ITA and pass an appropriate order within two weeks from today.

5. Learned counsel for the petitioner agrees with the aforesaid arrangement.

6. In the wake of statement of learned counsels for both sides, the present petition stands disposed of.

7. Pending application(s), if any, shall also stand disposed of.

(JAGMOHAN BANSAL)
JUDGE

06.02.2024
Mohit Kumar

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No