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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CM-11016-CWP-2017 in/and
RA-CW-130-2013 (O&M) in
CWP-5162-2012
Date of Decision: 29.01.2024

Mandeep Atray and others

. . . . Petitioner

Vs.

State of Punjab and others

. . . . Respondents

CORAM: HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Present: Mr. Kanwaljit Singh, Sr. Advocate with
Mr. Robin Gill, Advocate
for the applicants/petitioners.

Mr. Charanpreet Singh, AAG, Punjab.

Mr. D.S. Patwalia, Sr. Advocate with
Ms. Rishu Bajaj, Advocate
for respondents No.4 to 20.

SANJEEV PRAKASH SHARMA, J.(Oral)

1. Matter comes up on review application filed by the petitioners to the writ petition in the year 2013. The applicants seek review of an order passed by this Court on 12.02.2013 whereby their writ petition was dismissed on the grounds that there was no vacant post in general category available in the district Bathinda for which they had applied.
2. Learned counsel for the petitioners submits that the Court while passing the order dated 12.02.2013 failed to take notice of the fact that in the other districts, there was no post advertised for general category and therefore the petitioners were left to only apply for district Bathinda. He submits that after they had been placed in the select list,

they were denied appointment on the ground that the posts had been reduced and all the posts which were advertised qua district Bathinda have been reduced from eight to nil.

3. Learned counsel submits that during the pendency of the review petition, the Court also directed to conduct inquiry with regard to the determination of posts in the other districts, and it was noticed by the Court that in the other districts, the concerned officers had wrongfully shown the determination of posts.
4. I have given my thought to the aforesaid aspects, and find that so far as the petitioners are concerned, their applications were limited to district Bathinda. The prayer for appointment was also with regard to their selection conducted for district Bathinda as Rural Veterinary Officers. The Court while examining their case reached to the conclusion that the decision of the State Government in reducing the posts advertised from eight to nil for general category in district Bathinda was in order and justified. Whether the said action was justified or not, has been already decided by this Court in its judgment dated 12.02.2013. Findings arrived at in a judgment based on facts as placed before the Court can only be reviewed if the facts are found to be incorrect.
5. Learned counsel has not been able to satisfy the Court with regard to any factual error in the order. It is also noticed that there is no averment in the review application regarding any error in interpretation of law also.
6. Merely because of some error in the advertisements relating to other districts, the order passed by the Court dated 12.02.2013 does not warrant review.

- 7. Review petition is *dismissed* accordingly.
- 8. All interim orders in the review petition stand vacated.
- 9. All pending applications also stand disposed of accordingly.

(SANJEEV PRAKASH SHARMA)
JUDGE

January 29, 2024
Mohit goyal

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| 1. Whether speaking/reasoned? | Yes/No |
| 2. Whether reportable? | Yes/No |