



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(218) CWP No. 30931 of 2018 (O&M)
Date of Decision : 23.08.2024

Manjit Kumar and others ...Petitioners

Versus

State of Punjab and another ...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. S.K. Sharma Budhladawale, Advocate for the petitioners.

Mr. Charanpreet Singh, Assistant Advocate General, Punjab.

Harsimran Singh Sethi J. (Oral)

1. In the present petition, the grievance being raised by the petitioners is that the petitioners who belong to the reserved category of Backward Class, Scheduled Caste should be granted appointment against the posts which remained vacant in the 50% quota posts reserved to be filled up from female candidates for the post of PTI as advertised by the respondents in the year 2006.

2. In response to the claim, the respondents have submitted that as per the Advertisement, 50% of the posts were reserved for the male candidates and 50% of the posts were reserved for the female candidates, which action of the State was challenged and the Division Bench of this Court while passing order in CWP No. 12275 of 2000 titled as **Neelam Rani Vs. State of Punjab**, decided on 08.01.2010 held that the 50% posts reserved for the male candidates, the said posts have to be filled up on the combined merit list of male/female candidates and the remaining 50% posts reserved to



be filled from female candidates, are to be filled only from the merit list of female candidates and as, the petitioners were only eligible to be considered against the 50% posts to be filled from the joint merit list, the same had already been filled up and no candidate lower in merit than the petitioners has been appointed in the said quota and the posts which remained vacant to be filled from the female candidates quota, are being claimed in the present petition, which is not admissible keeping in view the judgment in ***Neelam Rani's case (supra)***.

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

4. Learned counsel for the petitioners has conceded before this Court that the petitioners are only claiming the appointment against the 50% of the advertised posts to be filled from the combined merit list of the male/female candidates. Learned counsel for the petitioners has not been able to substantiate that any candidate lower in merit than the petitioners has been appointed to the post in question. That being so, the claim of the petitioners cannot be considered against the vacant posts, which are to be filled up only from the female candidates, hence, no ground is made out for any interference by this Court.

5. Dismissed.

6. Pending miscellaneous application, if any, also stands disposed of.

August 23, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

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