

2024:PHHC:160068



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

115

CWP-32384-2024

Date of Decision : 02.12.2024

MOHD. RAMZAN

.... PETITIONER

V/S

STATE OF PUNJAB AND OTHERS

.... RESPONDENTS

CORAM : HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Ms. Arzoo Modi, Advocate for
Mr. Mohd. Yousaf, 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 appointment of respondents No.4 to 6 from the post of Information Technology Assistant (Software) (for short 'ITA').

2. The petitioner pursuant to advertisement No.5/2021 dated 17.08.2021 applied for ITA under Backward Class Category. His name did not figure in the select list, thus, he could not be selected.

3. Ms. Arzoo Modi, Advocate submits that respondent No.4- Sandeep Kumar was called twice which is inconceivable. If he had not joined on being called 1st time, he was ineligible for being called 2nd time.

There were 21 seats meant for Backward Class candidates. The

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maximum reservation for women could be 33% whereas respondent reserved 09 seats out of 21.

4. Mr. Dhir who on advance notice is present in Court submits that there is roster of reservation. In view of roster, 09 posts were earmarked for women out of 21 seats. There was no violation of reservation policy. Name of Sandeep Kumar at the first instance figured in the select list which was revised and in the revised list, his name figured in the waiting list. On account of changed facts and circumstances, Sandeep Kumar was called twice. There was no favour to Sandeep Kumar.

5. Faced with submissions of State counsel, Ms. Modi submits that the petition may be disposed of with a direction to respondents to provide her documents which were prepared at the first instance and thereafter.

6. Mr. Dhir submits that the competent authority would supply all relevant documents with respect to result of petitioner as well as respondent No.4 within 06 weeks from today.

7. In the wake of statement of both sides, the present petition stands disposed of. The petitioner is at liberty to approach this Court if cause survives.

(JAGMOHAN BANSAL)
JUDGE

02.12.2024

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