



217 **IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CWP-5248-2019 (O&M)

Date of Decision : 25-07-2025

DEVINDERPREET SINGH GHARU

.....Petitioner

VERSUS

STATE OF PUNJAB AND OTHERS

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Harparteek Singh Sandhu, Advocate for the petitioner.

 Mr. Rahul Rampal, Addl. A.G., Punjab.

HARSIMRAN SINGH SETHI, J. (Oral)

1. Learned counsel for the petitioner submits that the petitioner participated in the selection process for the post of Sub-Divisional Engineers as advertised on 24.10.2016 (Annexure P-1) by the respondents but all the posts advertised were not filled up, whereas the respondents were liable to fill up all the posts before, the merit list became defunct.

2. Learned counsel for the petitioner submits that prior to the date the merit list became inoperable, some of the posts that had been advertised had already become available for due consideration due to non-joining by candidates hence, the respondents are liable to be directed to fill the said post in accordance with the law.

3. Learned counsel appearing on behalf of the respondent-State submits that keeping in view the additional affidavit dated 28.04.2025 filed by Mr. Jatinder Pal Singh, Chief Engineer, Headquarter, Department of Water Resources, Chandigarh, there were two vacant posts in certain categories but, there are candidates who are higher in merit than the

petitioner, who are also to be considered in case, these posts are to be filled up on accordance with the merit.

4. I have heard the learned counsel for the parties and have gone through the records of the present case with their able assistance.

5. It should be noted that before the merit list expired, the posts, which were advertised, against which the petitioner and other candidates competed, had become available to be filled up from the merit list. The petitioner is only claiming that the post that was advertised, which remained vacant during the period the merit list was operative, should be filled up by selecting the candidates who were next in merit.

6. Keeping in view the totality of the circumstances, the respondents in paragraph No.6 of the affidavit dated 28.04.2025 have stated that two posts in the Reserved Category (Mazhbi/Balmiki) remained vacant, let the same be filled up in accordance with the law by considering the candidates in accordance with the merit list of the said category in accordance with law.

7. Let the said exercise be completed within a period of 4 months from the receipt of copy of this order.

8. Present petition is disposed of.

9. Pending application, if any, also stands disposed of.

25-07-2025
Sapna Goyal

(HARSIMRAN SINGH SETHI)
JUDGE

NOTE: Whether speaking: YES
Whether reportable: NO