

common order. For the sake of brevity and convenience, facts are borrowed from **CWP-14377-2004**.

2. On 07.04.2005, the following order was passed:

“The petitioners have filed the writ petition basing their claim on an identical writ petition being Civil Writ Petition No. 19746 of 2003. The petitioners in the aforesaid writ petition were offered appointments provided they were willing to withdraw the writ petition. vide communication dated 17.8.2004. On the basis of the aforesaid communication, the writ petition was disposed of as having become infructuous on 17.8.2004. The present petition was filed on 10.9.2004. The petitioners were prompted to file the present writ petition as the respondents had re-advertised 425 posts on 23.8.2004. The petitioners even participated in the selection process pursuant to the advertisement dated 23.8.2004 during the pendency of the present writ petition.

Now the respondents have filed the written statement, stating therein that petitioner No.1 has actually been selected. The other six petitioners have not been found fit for appointment as they could not get the required merit. Mr. Patwalia submits that the claim of the petitioners in the present writ petition is identical to the petitioners in Civil Writ Petition No. 19746 of 2003. He also submits that sufficient number of vacancies are still available against which the petitioners can be accommodated.

Mr. Rathee seeks a short adjournment to find out as to whether the claim of the petitioners in Civil Writ Petition No. 19746 of 2003 was distinguishable from the claim of the petitioners in the present writ petition. He also wishes to find out as to whether vacancies are available on which the petitioners can still be accommodated.

Adjourned to 29.4.2005.

Copy of the order be given Dasti to Mr. Harish Rathee, Advocate, for the State of Haryana, under the signatures of the Special Secretary of this Court.”

3. The matter relates to selection made in 2003-2004 for the post of Constable. A period of two decades from the date of completion of selection process has passed away, thus, at this belated stage there is no reason to interfere.

4. There is another aspect of the matter. The petitioners participated in the selection process which was initiated in 2003 and completed in 2004. A period of 21 years from the date of selection of other candidates has already passed away. The post advertised was of Constable. Physical/mental fitness is of paramount consideration in the Police Force. The petitioners cannot be expected of having fitness as postulated for Constable at the time of initial selection.

5. In the wake of above discussion and findings, the instant petitions deserve to be dismissed and accordingly dismissed.

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

(JAGMOHAN BANSAL)
JUDGE

18.08.2025
Prince Chawla

Whether Speaking/reasoned: Yes/No
Whether Reportable: Yes/No