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

1. COCP-2555-2025
Date of Decision: July 07, 2025

VIKASPetitioner
Versus
HIMMAT SINGH AND OTHERSRespondents

2. COCP-1191-2025

GOURAV GARG AND ANOTHERPetitioners
Versus
HIMMAT SINGH AND OTHERSRespondents

CORAM: HON'BLE MR. JUSTICE HARKESH MANUJA

Present: Mr. Sachin Jain, Advocate and
Ms. Aditi, Advocate for the petitioner(s).

Mr. Amit Aggarwal, DAG, Haryana.

Mr. Pravindra Singh Chauhan, Sr. Advocate with
Ms. Vasundhra Asija Bhandari, Advocate
for the respondent Nos.3 and 4.

HARKESH MANUJA, J. (ORAL)

This order of mine shall dispose of the instant contempt petitions being identical facts involved therein.

2. Learned counsel for the petitioner submits that the petitioner has been offered appointment to the post of LDC in DHBVNL and in view thereof, he does not press the present petition.

3. Learned counsel representing respondents also assures that the petitioner shall be made to join in terms of the previous order dated 04.07.2025.

4. Dismissed as not pressed.

5. Rule discharged.

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6. At this stage, it may be pointed out here that although the petitioners have withdrawn the present petition as they have been assured of their joining to the posts of Lower Division Clerk (LDC) in DHBVNL, however, in the humble opinion of this Court, the act and conduct of the officials of respondents No.3 & 4 needs to be probed by an independent agency, in the facts and circumstances of the present case.

7. Very briefly, vide advertisement No. 3/2016, 946 posts of LDC were advertised by HSSC on a requisition made by DHBVNL and UHBVNL. Out of the aforesaid, 478 posts were for DHBVNL and 468 were for UHBVNL. Upon conclusion of the selection process, the result was declared in the year 2019 and in terms of successive selection lists, around 419 candidates were selected and recommended initially for appointment as LDC with DHBVNL and later on another set of 71 candidates were recommended for appointment in DHBVNL by the HSSC.

8. On the previous date of hearing i.e. on 04.07.2025, respondents No.3 & 4 produced entire record pertaining to the process of joining of the selected and recommended candidates. Upon perusal of the record, as per learned counsel representing respondents No.3 & 4, around 240 selected candidates were intimated about their selection and recommendation through personal messengers; whereas around 190 candidates out of the same selection and recommendation list were served/ informed through registered post. Further, during the course of hearing, some of the receipts issued by the postal Department against communication served upon the selected candidates were randomly verified on the Online Indian Postal service portal with the able

assistance of learned State counsel representing Government of Haryana present in Court, however, no records were found on the official website of the Indian Postal Service qua those receipts

9. The Managing Director of respondent No.3- Sh. Ashok Kumar Garg who joined the proceedings through Video Conferencing was even called upon to apprise the Court about the standard procedure or any written guidelines issued by the State Government or the Department concerned with respect to service or intimation to the selected/ recommended candidates for the purposes of calling them for document verification and joining. However, the officer concerned could not refer to any such guidelines. He was even called upon to explain as to why around 240 selected/ recommended candidates were informed through personal messenger for the purposes of verification of their documents and their joining; whereas other 190 selected/ recommended candidates were sought to be served through registered post. Yet again, the officer failed to explain the aforesaid.

10. The conduct of respondents No.3 & 4 about unfairness at their hands while treating the selected candidates with discrimination is beyond comprehension and the same does not pass the key test of reasonableness, especially under the given facts and circumstances wherein out of 240 selected/ recommended candidates those were informed by respondent No.3 through personal messenger; 220 joined the Department; whereas out of 190 those who were allegedly served through registered post, merely 20 came forward to join the services; this fact itself raises a strong suspicion about the selective manner in which the recommended candidates were approached by respondent No.3 for the purposes of offering them the appointment having adopted

different modes of communication with respect to separate set of candidates.

11. In such serious scenario, the Court cannot keep a blind eye and sit as a fence sitter by treating itself to be a spectator. Accordingly, the conduct of the office of respondents No.3 & 4 in this selection process requires at least a preliminary fact finding inquiry so as to trace out the truth.

12. For the aforesaid purpose, Learned Registrar (Vigilance) of this Court is requested to examine the entire records relating to the selection of LDCs, advertised vide advertisement No. 3/2016 and to submit report within two weeks from today. Besides examining the records in detail, Learned Registrar (Vigilance) is requested to look into the following aspects, in particular:-

- i) Whether respondents No.3 and 4 have any written set of rules/ guidelines/ policy with respect to calling upon the selected/ recommended candidates for offering them appointment;*
- ii) What were the reasons with respondent No.3 to serve around 240 selected/ recommended candidates through personal messenger for offering them the appointment and for another set of 190 selected/ recommended candidates by serving them through registered post;*
- iii) As to why no uniform mode and method was adopted by respondent No.3 for intimating all the selected/ recommended candidates for offering them appointment;*
- iv) Learned Registrar (Vigilance) is further requested to scrutinize the postal receipts and the dispatch register(s) with respect to 190*

candidates who were sought to be served through registered post. All the receipts issued by the Postal Department in this regard be also examined and verified from the official website of the Indian Postal service.

- v) The addresses mentioned on the receipts issued against the registered posts to 190 candidates be also verified from their respective addresses mentioned in their application forms;*
- vi) Due verification of the receipts issued against the registered posts be also got verified from the concerned postal authorities;*
- vii) Learned Registrar (Vigilance) is also requested to examine the records pertaining to messenger(s) sent by the office of respondent no.3 for serving/ informing 240 candidates out of which 220 joined the services;*
- viii) Learned Registrar (Vigilance) is also requested to examine as to whether similar process for intimation to the selected/ recommended candidates was adopted by the office of respondent No.4 and if yes, the records be gone into in detail in the same manner as requested qua respondent No.3;*

13. For the aforesaid, respondents No.3 & 4 are directed to produce the entire selection record(s) pertaining to advertisement No.3/2016 for the posts of LDC in the office of learned Registrar (Vigilance), Punjab and Haryana High Court, Chandigarh, on or before 11.07.2025.

14. Consequent thereupon, learned Registrar (Vigilance) is requested to submit his report within one week thereafter.

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15. A copy of this order be served upon counsel representing respondents No.3 & 4, under the signatures of the Reader of this Court.
16. In the most humble opinion of this Court, the aforesaid directions have become necessary and essential so as to maintain the sanctity and purity of the selection process, besides maintaining and upholding the hope of the selected candidates towards their constitutional rights, who have been deprived of joining on the posts of LDC and to make the situation worst, the aforementioned 190 posts (approximately) have even been re-advertised and re-filled to the disadvantage of earlier selected/ recommended candidates without even offering them effective opportunity to join at their respective posts.
17. For perusal of inquiry report, to come up on 23.07.2025.

07.07.2025

Tejwinder

(HARKESH MANUJA)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>