



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

CWP-18606-2024 (O & M)
Date of Decision: 28.05.2025

Neetu Rani and others

.....Petitioner(s)

Versus

State of Haryana and others

....Respondent(s)

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Sunil Kumar Nehra, Mr. Viren Nehra,
and Mr. Rahil Mahajan, Advocates,
for the petitioners.

Mr. Sanjeev Kaushik, Addl. A.G., Haryana,
also appearing as Advocate for UHBVNL,
with Ms. Manreet Kaur, Advocate.

Ms. Nikita Goel, Advocate,
for respondent Nos. 4 and 5.

Mr. Ankur Sidhar, Advocate,
for respondent No.6-A.

Mr. Sarthak Gupta, Advocate,
and Mr. Rajat Mor, Advocate,
for the respondents.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioners through instant petition under Articles 226 and 227 of the Constitution of India are seeking setting aside of Advertisement No.7/2024 dated 15.07.2024 to the extent of inviting applications for the post of Lower Division Clerks (in short 'LDC').



2. The petitioners pursuant to an advertisement applied for the post of LDC. They came to be selected and joined service. The respondent revised result and in the revised result their name did not figure. They preferred 15 writ petitions before this Court which came to be disposed of vide judgment dated 29.05.2024 (Annexure P-8). The operative portion of the judgment reads as under:-

“9. It is a conceded fact that the petitioners were selected and appointed in pursuance to the initial merit list prepared by the respondents themselves and as of now, they are working for the last more than five years.

10. The argument which has been raised by the learned counsel for the petitioners is that once, all 964 posts have not been filled up and they are lying vacant, the petitioners should be adjusted against those vacant post of 964 posts advertised so that the petitioners do not suffer any prejudice. The said prayer of the petitioners is genuine.

11. The petitioners were selected in the initial merit list issued by the respondents themselves. The petitioners were appointed and are working on the post in question. Once, the petitioners have worked for sufficiently long time, which is beyond the clearing of the probation period also, coupled with the fact that all 964 posts advertised have not been filled up, the respondents are directed to consider the claim of the petitioners as per their merit in the revised merit list against those vacant posts so as to be adjusted even if, the petitioners have come down in the revised merit list.

12. As the writ petition filed, in pursuance to which the revised merit list was prepared and the petitioners who are being ousted on the basis of revised merit list, are being decided together but by a speaking order, it is clarified that the petitioners in these petitions will only be considered for appointment/adjustment against the posts which are lying vacant out of the total advertised posts only and as per their merit in the revised merit list.



13. *Keeping in view the above, the present petitions are disposed of with a clear direction that the total number of posts advertised i.e. 964 will be filled up and not beyond and for filling up the posts, the revised merit list will be taken into consideration. The petitioners in all the petitions will be considered for appointment on the basis of the revised merit list against the posts lying vacant out of total advertised posts or will be allowed to continue in case, already working in pursuance to the initial merit list, in case they are accommodated against the vacant post, i.e. the post of Lower Division Clerk which could not be filled up out of total 964 posts advertised.*

14. *However, it may be noticed that in case, any of the petitioner is not adjusted, the same will not preclude the said candidate to avail appropriate remedy for the redressal of their grievance in case, if any permissible under law.*

15. *As certain petitioners are continuing under the orders of the Court keeping in view their initial appointment, till the said exercise is completed by passing an appropriate order, the interim order to allow them to continue in service, will continue.*

16. *However, the adjustment will only be done of the petitioners who are yet to be appointed or are already working in pursuance to the initial merit list subject to the fulfillment of the eligibility criteria to be appointed on the post in question qua 964 posts of Lower Division Clerk.”*

3. The respondent despite afore-stated order advertised many posts of LDC which included posts noted in the afore-stated order dated 29.05.2024.

4. Mr. Sanjeev Kaushik, at the outset, submits that 26 petitioners have already been selected and their appointment stands confirmed. 12 petitioners would be appointed in Uttar Haryana Bijli Vitran Nigam Ltd. (in short ‘UHBVNL’). There are 6 candidates namely Chanderkala Yadav, Jatin Arora,

Komal Rani, Manjit Kumar, Monika Nain and Sujata who are ineligible, thus, cannot be appointed.

5. Faced with this, Mr. Sunil Kumar Nehra submits that grievance of the petitioners would be redressed if respondents are directed to pass order with respect to aforesaid 6 candidates with respect to their eligibility.

6. Mr. Sanjeev Kaushik agrees to the afore-stated arrangement.

7. In the wake of statement of both sides, the petition stands disposed of with a direction that respondent will pass order with respect to afore-stated 6 candidates and while passing order would keep in mind that they are working since 2019. It is further made clear that UHBVNL would send requisition if required by law to Haryana Staff Selection Commission with respect to other petitioners.

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

28.05.2025
shivani

(JAGMOHAN BANSAL)
JUDGE

Whether reasoned/speaking	Yes
Whether reportable	Yes