

2025:PHHC:009532



IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

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CWP-22602-2021 (O & M)
Date of decision: 22.01.2025

Amandeep Kaur and others

....Petitioners

Versus

State of Punjab and others

...Respondents

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. J.P.S.Sidhu, Advocate, for the petitioner.

Mr. Amarpeet Singh Bains, AAG, Punjab.

AMAN CHAUDHARY, J. (ORAL)

1. Prayer made in the present petition is for quashing the action of the respondents considering reserve category candidates in general category for appointment who qualified Ist eligibility condition.

2. Reliance in the index of this petition had been placed on the pendency of CWP-15486-2021, **Harwinder Singh and others vs. State of Punjab and others**, which stands disposed of by the Division Bench, vide judgment dated 31.07.2024, covers the case of the petitioners, which learned State counsel despite his best efforts has not been able to controvert regards the factual position and draw out any distinctive aspects in the afore-mentioned judgment or cite any contrary law, relevant paras whereof read thus:

“10. CONCLUSION

In view of the above, since notification dated 28.06.2018 is quashed by Hon'ble Supreme Court, therefore, this Court concludes as under :

- (i) Since notification dated 28.06.2018 is quashed by Hon'ble Supreme Court in **Devesh Sharma's case (supra)** after observing the same to be violative of principles as laid down in Right to Education Act, 2009, therefore, the challenge to the same in the present writ petitions is decided in the same terms.
 - (ii) In view of the observation of Hon'ble Supreme Court in **Devesh Sharma's case (supra)** Punjab State Elementary Education (Teaching Cadre) 'C' Service (First Amendment) Rules, 2021 dated 27.07.2021 and advertisement dated 30.07.2021 are upheld.
 - (iii) The State of Punjab is directed to complete the recruitment process in consonance with advertisement dated 30.07.2021.
 - (iv) The State of Punjab is further directed to declare the result by taking into consideration eligible candidates as per advertisement dated 30.07.2021.
 - (v) The State of Punjab is further directed to implement the directions of Hon'ble Supreme Court issued in **Devesh Sharma's case (supra)** in letter and spirit.
10. The writ petitions are accordingly disposed of. Pending application, if any, also stand disposed of."

3. In wake of the above, the present petition is disposed of in terms of **Harwinder Singh** (supra).

22.01.2025

parveen kumar

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No