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IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH**COCP-354-2026 (O&M)****Date of Decision : 09.03.2026**

Gurvinder Singh and Others

... Petitioners

Versus

Kumar Rahul and Another

... Respondents

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. Veneet Sharma, Advocate for the petitioners.

Mr. Rohit Ahuja, DAG Punjab.

ALKA SARIN, J. (Oral)

1. Present contempt petition has been filed alleging contempt of order dated 02.08.2025 passed by this Court in CWP-21742-2025 titled 'Gurvinder Singh & Ors. vs. State of Punjab & Ors.'.
2. The brief facts which would be necessary in order to dispose off the present petition are noted hereinbelow.
3. An advertisement was issued for recruitment to 1263 posts of Multipurpose Health Worker (Male) and out of the said posts 89 posts were reserved for candidates belonging to the Ex-Servicemen (General) category. There were separate posts reserved for the Ex-Servicemen (SC) and (BC) category. The candidates, besides having the requisite qualification as prescribed, were required to undergo a written test and merit-list was to be prepared on the basis of the written test. The petitioners claimed themselves to be the dependents of Ex-Servicemen. The petitioners admittedly did not

apply under the category of dependents of Ex-Servicemen (Gen.). Thereafter, writ petitions being CWP-20590-2018 and CWP-30339-2018 were filed, which were disposed off vide order dated 26.11.2024. In the said petitions it has been noticed that the counsel for the petitioners therein had submitted that as per the advertisement the Ex-servicemen were to be given the benefit but there was no mention of the dependents of Ex-servicemen hence, the petitioners competed for the post in the General Category though they were dependents of Ex-servicemen and had requisite certificates to support their claim. It was further noticed that it was after the selection was over that the petitioners came to know that the dependents of Ex-servicemen had also been considered and appointed to the posts by the respondents. The said writ petitions were disposed off holding as under:

“Though, no direction is being given but in case, the post of Ex-servicemen are still lying vacant and the petitioner fulfilled the eligibility upto the last date of the application form to be considered as a dependent of Ex-serviceman, keeping in view the exceptional circumstances of the present case, where, no option was given to the dependents of Ex-servicemen to apply for, the case of the petitioners be considered sympathetically.

With these observations, both the petitions are disposed of.”

Thereafter, a second writ petition being CWP-21742-2025 was filed, which was disposed off vide order dated 02.08.2025 wherein it was stated that it was the 3rd round of litigation only on account of the fact that order dated 26.11.2024 passed in CWP-20590-2018 and CWP-30339-2018 had not been

complied with in letter and spirit. The said writ petition was disposed off to pass a fresh order reconsidering the issue taking note of the observations made in the order dated 26.11.2024.

4. Present contempt petition has been filed for alleged violation of order dated 02.08.2025 passed in CWP-21742-2025.

5. Today a compliance report by way of affidavit of Dr. Aditi Salaria, Director, Department of Health & Family Welfare, Punjab on behalf of respondent No.2 has been filed by learned State counsel, which is taken on record. Registry to scan the same and tag at the appropriate place. Alongwith the compliance report, a speaking order dated 26.02.2026 has also been appended as Annexure R-1. In para 4 of the affidavit it has specifically been stated that no posts of ESM (GEN-Category) are lying vacant and therefore the case of the petitioners has been rejected vide order dated 26.02.2026. In the speaking order it has categorically been stated that there is only one post of ESM General Category which was kept reserved as per stay order passed by the Division Bench of this Court in LPA-2659-2024 arising out of CWP-22373-2021 and neither any post is left vacant in ESM General Category nor has been kept reserved except as noticed above.

6. Learned counsel for the petitioners disputes the fact that there is no post of ESM General Category lying vacant and insists that there are vacancies which are not being disclosed by the respondents. There is no reason for this Court to disbelieve the statement made on affidavit by Dr. Aditi Salaria, Director Health & Family Welfare, Punjab.

7. Since the directions passed in CWP-20590-2018 and 30339-2018 were only to consider the case of the petitioners sympathetically in case the post of Ex-servicemen was still lying vacant, in view of the speaking order

passed that there is no post lying vacant except for the one reserved as per directions of the LPA Bench, no further orders are required to be passed in the present contempt petition and the same is disposed off. Rule stands discharged. Pending applications, if any, also stand disposed off.

9. Needless to say that if the petitioners are still aggrieved, they would always be at liberty to avail the remedies as available in law.

09.03.2026
jk

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO