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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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Date of Decision: 12.05.2026

CWP-26227-2017

Darshan Singh

.....Petitioner

VERSUS

Uttar Haryana Bijli Vitran Nigam Ltd. And Another

...Respondents

CWP-20175-2018

Surinder Singh

.....Petitioner

VERSUS

Uttar Haryana Bijli Vitran Nigam Ltd. And Another

...Respondents

CWP-21868-2018

Kamal Kant Ravi Dass

.....Petitioner

VERSUS

Uttar Haryana Bijli Vitran Nigam Ltd. And Another

...Respondents

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**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present:- Ms. Sangita Dhanda, Advocate
for the petitioner in all the cases.

Mr. Baldev Raj Mahajan, Sr. Advocate,
Mr. R.S. Longia, Advocate,
Ms. Nikita Goel, Advocate and
Mr. Mohit Kumar Sharma, Advocate
for the respondents in all cases.

HARPREET SINGH BRAR, J. (Oral)

1. With the consent of all the parties, the aforementioned writ petitions are taken up together and are being decided by this common judgment. However, for the sake of brevity, the facts are taken from CWP 21868-2018

2. The present civil writ petition has been filed under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing of the impugned order dated 05.12.2017 (Annexure P-13) passed by the respondents, to the extent it refuses to fill up all 41 posts of Ex-Servicemen (ESM) of the Scheduled Caste (SC) category. Further, a writ in the nature of mandamus has been sought directing the respondents to appoint the petitioner as an Assistant Lineman (ALM) against one of the 13 posts lying vacant in the ESM-SC quota, by drawing from the waiting list of the SC category declared on 20.04.2010.

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3. Learned counsel for the petitioner *inter alia* contends that the petitioner had participated in the selection process initiated by advertisement dated 08.07.2008 for appointment to the post of Assistant Lineman. The final result along with a waiting list was declared on 20.04.2010, wherein the petitioner's name was shown in the waiting list of the SC category. He refers to the instructions dated 02.07.2010 (Annexure P-3) and 23.05.2014 (Annexure P-4) issued by the State of Haryana, which provide that in case no candidate is available for appointment against vacancies reserved for ESM of a particular category, those vacancies would be filled up from amongst candidates of the same category. Learned counsel further relies upon the judgments of this Court in ***Mukesh Kumar and others Vs. State of Haryana*** (CWP No. 14823 of 2011, decided on 26.05.2014), ***Kailash Chand Vs. Haryana Vidyut Parsaran Nigam Ltd.*** (CWP No. 16214 of 2015, decided on 11.07.2016), and ***Garima Jindal Vs. Haryana Vidyut Prasaran Nigam*** (CWP No. 13384 of 2011, decided on 06.08.2012,) to submit that similarly situated candidates have been granted appointment by this Court. The petitioner claims parity and equal treatment on the ground that 68 other candidates from the same waiting list have been appointed pursuant to judicial orders.

4. *Per contra*, learned counsel for the respondents submits that, though the petitioner's name finds mention in the waiting list dated 20.04.2010, however, the present writ petition is liable to be dismissed on

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the ground of delay and laches, as the waiting list was valid only for a period of one year in terms of Haryana Government instructions dated 20.01.1988, i.e., up to 20.04.2011, whereas the petitioner filed the writ petition in August 2018 after a lapse of more than seven years. Learned counsel places strong reliance on the Division Bench judgment of this Court in LPA-811-2022, titled '**Ravinder Yadav Vs. Haryana Vidyut Parsaran Nigam Limited and others**', decided on 19.09.2022, wherein an identically situated appellant was denied relief. It is further contended that the judgments cited by the petitioner have been distinguished and confined to their specific facts by the Division Bench in **Ravinder Yadav (supra)**, and that no mandamus can be issued to revive an expired waiting list.

5. I have heard learned counsel for the parties and perused the record with their able assistance.

6. It transpires that the present writ petition revolves around the issue regarding whether a candidate can stake a claim for appointment from a waiting list arising out of an advertisement dated 08.07.2008, the currency of which expired in April 2011, by filing a writ petition in August 2018, after a lapse of more than seven years.

7. The issue in the present writ petition is no longer *res integra*, and has been conclusively dealt by the Division Bench of this Court in **Ravinder Yadav (supra)**. Moreover, the case of the petitioner is indistinguishable from the case of the appellant therein as the said case was

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also regarding a candidate who had participated in the same selection process initiated by advertisement dated 08.07.2008 for appointment to the post of Assistant Lineman, whose name was placed in the waiting list declared on 20.04.2010, and who approached this Court in the year 2018 seeking appointment against vacancies that had arisen in the Ex-Servicemen category, claiming parity with other successful litigants.

8. The Division Bench in ***Ravinder Yadav (supra)***, has already considered and rejected all the arguments advanced by the petitioner in the present case. The Division Bench held that the waiting list declared on 20.04.2010 was valid only for a period of one year in terms of the Haryana Government instructions dated 20.01.1988, i.e., up to 20.04.2011, and that a candidate included in a waiting list has no vested right to appointment nor can such list be treated as a reservoir to fill vacancies after its expiry. The Bench further held that the appellant had approached the Court in 2018 after a lapse of more than seven years, and such gross delay and laches disentitled him to the discretionary relief under Article 226 of the Constitution of India. Consequently, the earlier Single Bench judgments relied upon by the appellant were held to be confined to their specific facts and, as they were decided without considering the binding Supreme Court precedents on the limited validity of a waiting list, could not be relied upon as precedents for claiming parity. The appeal was accordingly dismissed.

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9. Moreover, the SLP against the judgement rendered by the Division Bench in ***Ravinder Yadav (supra)*** has already been dismissed by the Hon'ble Supreme Court. As such, the issue has attained finality.

10. In view of the discussion above, the present writ petition(s) are dismissed. No order as to costs.

(HARPREET SINGH BRAR)
JUDGE

12.05.2026

parul verma

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No