
(2013) 09 P&H CK 0327

In the Punjab And Haryana At Chandigarh

Case No : Civil Writ Petition No. 12207 of 2008

Satinder Pal Singh

APPELLANT

Vs

State of Punjab

RESPONDENT

Date of Decision : 13-09-2013

Acts Referred:

Citation : (2014) 2 PLR 390

Hon'ble Judges : Hemant Gupta, J; Fateh Deep Singh, J

Bench : Division Bench

Final Decision : Dismissed

Judgement

Hemant Gupta, J.—The present writ petition has been preferred by the petitioner seeking setting aside the recommendations (Annexure P-7) of the Committee constituted for the purposes of scrutinizing the selections made to the Punjab Civil Services (Judicial Branch). In response to an advertisement published by the Punjab Public Service Commission-respondent No. 4 for recruitment of 21 posts of Punjab Civil Services (Judicial Branch), the petitioner submitted his application form, the last date for submission of application forms being 17.02.2001. The petitioner applied under the category of Balmiki/Mazhbi Sikhs i.e. as a Scheduled Castes candidate. The petitioner is said to have qualified the written examination and was called for viva voce. The petitioner was said to be selected for appointment to the Punjab Civil Services (Judicial Branch) as per Press Release dated 07.11.2001 though the result was published in the Gazette on 21.11.2001. The name of the petitioner appeared at Sr. No. 21 having obtained 486.50 marks out of 1000 marks. However, after completing necessary formalities i.e. conducting of character verification and medical examination, the appointment letter was not issued to the petitioner in spite of the recommendations of the Punjab Public Service Commission presumably for the reason that the petitioner has not scored 50% marks in the aggregate of written test and viva voce.

2. The petitioner points out that Mr. Joginder Singh Gill, a similarly situated

candidate at Sr. No. 20 filed writ petition bearing CWP No. 5608 of 2002 before this Court seeking direction to the respondents for issuance of appointment letter, which was allowed on 05.12.2003. It may be stated at this stage, that Mr. Gill filed another writ petition (CWP No. 12190 of 2008) claiming appointment, but has withdrawn the same on 23.8.2013. Mr. Gill has also not been appointed for the reason that he has not obtained 50% of the aggregate marks of the written test and viva voce.

3. The petitioner has not invoked the writ jurisdiction of this Court, when he was not offered appointment letter. The petitioner filed the present writ petition on 16.07.2008 i.e. after more than six years of the accrual of the cause of action. It may be stated that in the year 2002, the services of the candidates selected in the years 1998, 1999, 2000 & 2001 were terminated on account of popularly known as "Sidhu Scam". A Full Bench of this Court in Amarbir Singh and Others Vs. State of Punjab and Others, upheld the termination orders, but the matter was remanded back to this court vide judgment of Supreme Court in Inderpreet Singh Kahlon and Others Vs. State of Punjab and Others, . A Committee was constituted in terms of the said order passed by the Supreme Court to find out the tainted candidates. Such Committee by majority concluded that the entire selection process is tainted. Such recommendations were set aside by Full Bench of this Court in CWP No. 1626 of 2003 titled "Sirandip Singh Panag v. State of Punjab and others", decided on 27.05.2008.

4. The present petition has been filed after the Full Bench of this Court in Sirandip Singh Panag's case (supra) ordered issuance of letters of appointment. But since the petitioner has not invoked the jurisdiction of this Court soon after the cause of action arose to him, we find that the present petition suffers from gross delay and laches, more so when none of the junior has been appointed. In view of the above, we do not find any merit in the present writ petition. The same is dismissed.