
(2014) 07 P&H CK 0516
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 4934 of 2009

Shakuntla Devi	Vs	APPELLANT
The State of Haryana		RESPONDENT

Date of Decision : 11-07-2014

Acts Referred:

Citation : (2014) 07 P&H CK 0516

Hon'ble Judges : Gurmeet Singh Sandhawalia, J

Bench : Single Bench

Advocate : Vikas Kumar and Tara Chand Dhanwal, Advocate for the Appellant;
Shruti Goel, Assistant Advocate General, Advocate for the Respondent

Final Decision : Dismissed

Judgement

G.S. Sandhawalia, J.—The present writ petition has been filed praying for quashing the action of the respondents who have not absorbed the petitioners in the Government departments in view of the policy dated 21.6.2006.

2. The present writ petition was admitted and ordered to be heard alongwith Civil Writ Petition No. 15505 of 2008-Karam Singh and others Vs. State of Haryana and others in which the petitioners were seeking absorption in the Education Department on the strength of the said policy. The said writ petition was dismissed on 30.5.2013 in view of the orders passed in Civil Writ Petition No. 11573 of 2002-Raj Singh Sandhu and others Vs. State of Haryana and another decided on the same date. It is held that the claim of the petitioners seeking absorption to the post of S.S. Masters if accepted would amount to recognizing yet another mode of recruitment. The relevant observations reads as under:-

9. Even otherwise, even if the claim of the petitioners was to be considered in isolation and only against the backdrop of the order dated 17.11.1992 passed by the Hon'ble Apex Court at Annexure P1, still no case is made out. In such order dated 17.11.1992, directions had been issued to the State of Haryana to consider the case of the petitioners therein as also all other similarly situated for

absorption in the State services to the post to which they are eligible in accordance with the Rules and Instructions. Insofar as the post of Social Studies Masters is concerned, the relevant statutory Rules governing the service recognized only three modes of recruitment i.e. i) 50% by direct recruitment; ii) 50% by promotion from amongst the JBT/C&V teachers having three years experience on the post of JBT/C&V teacher or iii) by deputation of the persons already in service. As such, it is clear that the claim of the petitioners seeking absorption to the post of Social Studies Masters even if accepted would amount to recognizing yet another mode of recruitment which would be alien to the statutory Rules and the same would not be covered in the light of order dated 17.11.1992 at Annexure P1.

10. For the reasons recorded above, no case for interference is made out. Writ petitions, accordingly, stand dismissed.

3. Thus, keeping in view the above law laid down, no relief can be granted to the petitioners. Accordingly, the present writ petition is dismissed.