

LPA-1202-2024 (O&M)

2025:PHHC:026097-DB



**109 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CM-2892-LPA-2024 and
CM-7595-LPA-2024 in/and
LPA-1202-2024**

Date of Decision: February 24, 2025

RAVI KUMAR AND OTHERS

.....Appellants

Versus

STATE OF PUNJAB AND ORS

.....Respondents

**CORAM:- HON'BLE MRS. JUSTICE LISA GILL
HON'BLE MR. JUSTICE ALOK JAIN**

Present: Mr. Sunny Singla, Advocate for the appellants.

Mr. T.S. Chauhan, Advocate
for applicant/proposed respondent No. 6 in CM-7595-LPA-2024.

Mr. R.S. Pandher, Sr. DAG, Punjab.

LISA GILL, J.

1. This appeal has been filed for setting aside order dated 06.12.2023 passed by learned Single Bench whereby writ petition filed by present appellants has been dismissed.

2. Appellants (writ petitioners) filed CWP-27353-2023 for setting aside order dated 20.09.2023 whereby their claim had been rejected allegedly in an illegal and arbitrary fashion. Appellants sought direction to maintain

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proper roster register for providing reservation during promotion from Head Teacher to Centre Head Teacher besides directing respondents to consider their claim and of other General category candidates in terms of quota meant for candidates of said category. It is the case of appellants (writ petitioners) that candidates from Reserved category beyond their quota had been promoted as Centre Head Teacher.

3. As the writ petition was dismissed in *limine*, State was called upon to file affidavit, reflecting its stand. In compliance thereto, affidavit dated 04.12.2024 has been filed. It is stated therein that three persons in Reserved category have been appointed beyond their seniority and quota. Relevant para Nos. 8 and 9 of affidavit dated 04.12.2024 are reproduced as hereunder:-

“8. That it is respectfully submitted that, this fact is also brought into the kind notice of this Hon'ble Court that the Roster Register has already been submitted before the respondent no. 5 vide letter no. E-5/()2024296602 dated: 19-11-2024 with the request to acknowledge and to verify the said Roster points as per Government Rules. In pursuance thereof, the roster points/register have been verified by the office of the respondent no. 4 and 5, vide letter dated 28-11-2024 and eventually, it has been found that 3 persons are beyond seniority and quota. In this regard, position is being made clear within the tabulated form for the kind perusal of this Hon'ble Court:-

Sr. No.	Name of the employee	Category	Seniority No.	Date of Promotion	Remarks
1.	Sh. Jagtar Singh	SC	139	19.12.2022	By extending the benefit of reservation
2.	M/s Sarabjit Kaur	SC	140	19.12.2022	By extending the benefit of reservation

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3.	Sh. Surjit Singh	SC	143	23.12.2022	By extending the benefit of reservation
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The copy of the said letter dated 28-11-2024 are being appended as Annexure R-1 for the kind consideration of this Hon'ble Court.

9. That thereafter, in the light of the Annexure-R-1, the respondent no. 2 has reviewed it's earlier office order issued on 20-09-2023 and same has been modified on 29-11-2024, in view of the recommendation made by the respondent no. 4 and 5 (vide Annexure-R-1), in the interest of justice. The copy of the office order dated 29-11-2024 is being appended as Annexure R-2 for kind consideration of this Hon'ble Court.”

4. Apparently order dated 20.09.2023, which was impugned in the writ petition, has been modified vide order dated 29.11.2024 (Annexure R2). In view of the above, learned counsel for appellants submits that though appeal is indeed rendered infructuous in view of said order, necessary action pursuant to order dated 29.11.2024 has not been taken.

5. Learned counsel for State submits that necessary action consequent to passing of order dated 29.11.2024 shall be taken in complete consonance with provisions of law and after observance of principles of natural justice.

6. CM-7595-LPA-2024 has been filed by Jagtar Singh son of Sh. Bachan Singh for impleadment as party to this appeal, claiming that he may be adversely affected by modification of order dated 20.09.2023 on 29.11.2024 (Annexure R2).

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7. Keeping in view the facts and circumstances as above and in view of order dated 29.11.2024, subsequently passed by respondents, this appeal is indeed rendered infructuous and is disposed of accordingly.

8. Applicant in CM-7595-LPA-2024, needless to say, is at liberty to avail remedies available to him in accordance with law, for redressal of his grievance(s), if any.

9. Pending application(s), if any, stand(s) disposed of.

(LISA GILL)
JUDGE

February 24, 2025
Rts

(ALOK JAIN)
JUDGE

Whether speaking/reasoned: Yes/No
Whether reportable: Yes/No