



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

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**RSA-1282-2000
Decided on:08.04.2025**

Saroj Devi

. . . Appellant

Versus

The Child Development Project Officer, Bhiwani and others

. . . Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Karan Nehra, Advocate
for the appellant.

Mr. Jagdish Manchanda, Addl. A.G., Haryana.

Ms. Parbeen Kumari, Advocate for
Mr. Gunjan Mehta, Advocate
for respondent No.3.

VIKAS BAHL, J.(ORAL)

1. The present appellant-plaintiff had filed the suit for declaration to the effect that appointment of Smt. Sumitra Devi, defendant No.3 as Anganbari worker of village Maneharu was wrong and illegal and the plaintiff was entitled for appointment to the said post. The said suit filed by the plaintiff had been dismissed and the appeal filed by the present appellant-plaintiff was also dismissed vide judgment dated 06.12.1999.

2. A perusal of the paperbook would show that there is no interim order passed in favour of the appellant. On 02.04.2025, a short adjournment was sought to get instructions in the matter as to whether respondent No.3 has retired from the service or not. In response to the same, it has been brought to the notice of this Court that respondent No.3 has retired from service.

3. Learned counsel for the appellant has submitted that in the present case, there is a disputed question of law which arises for consideration i.e. whether a candidate from the backward class can be appointed on the post reserved for scheduled caste category or not.



4. Learned counsel for the appellant has submitted that in view of the subsequent events, present appeal be disposed of as having been rendered infructuous but the said question of law to be kept open.

5. Learned counsel for the respondents have submitted that the post in question was reserved for the reserved category and was not specifically reserved for the scheduled caste category.

6. Keeping in view the abovesaid facts and circumstances and on account of the fair stand taken on behalf of the appellant as well as the respondents, present appeal is disposed of as having been rendered infructuous in view of the subsequent events.

7. However, the question of law which arises in the present case is kept open.

08.04.2025

Mehak

Whether reasoned/speaking?

Whether reportable?

Yes/No

Yes/No

**(VIKAS BAHL)
JUDGE**