

## Dapinder Kaur and Others Vs State of Punjab and Others

**Court:** High Court Of Punjab And Haryana At Chandigarh

**Date of Decision:** Aug. 18, 2006

**Hon'ble Judges:** Kiran Anand Lall, J; J.S. Khehar, J

**Bench:** Division Bench

**Advocate:** M.S. Rahi, for the Appellant;

**Final Decision:** Dismissed

### Judgement

J.S. Khehar, J.

Through the instant writ petition, the petitioners have approached this Court with the prayer that a direction be issued to

the respondents not to fill up the posts advertised vide advertisement dated 26.5.2004 (Annexure P4) on the basis of Notification dated 5.5.1975

which envisages 50% further reservation from amongst the category of Balmikis and Mazhbi Sikhs. This contention of the learned Counsel for the

petitioners is based on the decision rendered by the Apex Court in E.V. Chinnaiah Vs. State of Andhra Pradesh and Others, . On the basis of the

judgment relied upon by the learned Counsel for the petitioners, there may well be merit in the instant contention of the learned Counsel for the

petitioners.

2. The question, however, is whether it is possible for us to entertain, at this juncture, the present writ petition in its present form. On the specific

query to the learned Counsel for the petitioners why those selected and appointed in terms of the Notification dated 5.5.1975 (Annexure P2) have

not been impleaded as party respondent, learned Counsel for the petitioner states that only the merit list has been finalised as of now and no

appointment orders have yet been issued, and as such, it is not essential for the petitioners at the present juncture to implead any one as party

respondent. If the aforesaid contention of the learned Counsel for the petitioners is factually correct, then it is apparent that no appointment orders

have been issued. In the aforesaid view of the matter, it is obvious that the petitioners have approached this Court pre-maturely without the State

Government having followed or implemented the Notification dated 5.5.1975 (Annexure P2).

3. In both the circumstances mentioned hereinabove, it is not possible for us to entertain the instant writ petition at the present juncture. Dismissed.