

(2006) 08 P&H CK 0224

High Court Of Punjab And Haryana At Chandigarh

Case No: CWP No. 12815 of 2006

Dapinder Kaur and
Others

APPELLANT

Vs

State of Punjab and
Others

RESPONDENT

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. Chinniah 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.