

ISL. No	Date	Office Notes, reports, orders or proceedings or directions and Registrar's order with Signatures	COURT'S OR JUDGES'S ORDERS
			<p>WPSS No.2358 of 2023 <u>Hon'ble Pankaj Purohit, J.</u></p> <ol style="list-style-type: none"> 1. Mr. Amar Murti Shukla, learned counsel for the petitioner. 2. Mr. Shobhit Saharia, learned counsel for the respondents. 3. Heard learned counsel for the parties. 4. The petitioner has challenged the order dated 05.12.2023 (Annexure No.9 to the writ petition) whereby the petitioner has been denied joining as a Junior Engineer Trainee (Mechanical) pursuant to his selection vide order dated 01.11.2023. 5. It is the case of the petitioner that petitioner has participated in selection process for Junior Engineer Trainee (Mechanical) with respondent-department and vide order dated 01.11.2023 he has been declared selected for the said post. 6. The grievance of the petitioner, as raised in the present writ petition, is that, the petitioner has not been allowed joining against the said post and vide order dated 05.12.2023 he was denied joining his services owing to the fact that some criminal proceedings are pending against the petitioner in the court of law. 7. Learned counsel for the petitioner has submitted that Clause 6.3 of the T.H.D.C. India Limited Rules will not be applicable to the petitioner for the reason that petitioner was selected for the post of Trainee Employees and in view of Rules 2.0(b) the Trainee Employees are excepted from the applicability of the aforesaid Rules. 8. Per contra, learned counsel for the respondents-T.H.D.C. submitted that petitioner has not come up with the case as to what formalities are completed by the petitioner while submitting his

information after receiving the offer of appointment for Junior Engineer Trainee (Mechanical).

9. Having considered the rival contention of the parties and perusal of the order dated 15.12.2023 whereby the petitioner was refused to join pursuant to his selection on the post of Junior Engineer Trainee (Mechanical), this Court is of the opinion that issue can be properly appreciated only if the counter affidavit is filed by the respondents/T.H.D.C.

10. In this view of the matter, learned counsel for the respondents is granted six weeks time to file counter affidavit. Two weeks time thereafter is granted to the petitioner to file rejoinder affidavit.

11. List this petition on 27.03.2024.

(Pankaj Purohit, J.)
02.01.2024

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