

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

Petition(s) for Special Leave to Appeal (Civil) No(s).10168/2006

(From the judgement and order(s) dated 22/12/2005 in CWP  
No.9813/1999 of The HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH)

STATE OF HARYANA & ORS.

Petitioner(s)

VERSUS

VIJAY PAL SINGH & ORS.

Respondent(s)

(With appln(s) for impleadment and prayer for interim relief and  
office report) (For Final Disposal)

WITH SLP(C) NO. 11925 of 2006

(With office report) (For Final Disposal)

SLP(C) NO. 12233 of 2006

(With office report) (For Final Disposal)

SLP(C) NO. 15181 of 2006

(With appln. for permission to place additional documents on  
record and office report) (For Final Disposal)

SLP(C) NO. 19342 of 2006

(With office report) (For Final Disposal)

Date: 20/10/2011 These Petitions were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE D.K. JAIN

HON'BLE MR. JUSTICE ANIL R. DAVE

HON'BLE MR. JUSTICE SUDHANSU JYOTI MUKHOPADHAYA

For Petitioner(s) Mr. Manjit Singh, Addl. Dav. Gen.  
Mr. Govind Goel, Adv.  
Mr. Sanjay Kumar Yadav, Adv.  
Mr. Manoj Bhatnagar, Adv.  
Mr. Tarjit Singh, Adv.  
Mr. Kamal Mohan Gupta, Adv.

For Respondent(s) Mr. J.L. Gupta, Sr. Adv.  
Ms. S. Janani, Adv.

..2/-

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Dr. Ramesh Kr. Haritash, Adv.  
Mr. Syed Rehan, Adv.  
Mr. Mukesh Bala, Adv.  
for Dr. Kailash Chand ,Adv

Mr. Sushil Balwada, Adv.

Mr. Anil Hooda, Adv.  
Mr. Kaushal Yadav, Adv.  
Mr. Sanjay Lal, Adv.

UPON hearing counsel the Court made the following

O R D E R

We have heard learned counsel for the parties at  
some length. Having considered the matter in the light  
of the documents on record, including, letter dated

21.3.2007 addressed by Superintendent (JT & VE), for Financial Commissioner & Principal Secy. to Government Haryana, Industrial Training & Vocational Education Deptt. to the Secretary Haryana Staff Selection Commission, Bays No. 67-70, Sector-2, Panchkula, shown to us by Mr. J.L. Gupta, learned senior counsel appearing for the respondents and bearing in mind the peculiar facts of these cases, we are of the opinion that the ends of justice would be subserved if the present petitions are disposed of with the following terms :

i) The State of Haryana shall forthwith undertake an exercise to determine the number of vacancies in different trades/subjects for the posts of Guest Instructors (Class III)/Teachers in different vocational courses conducted by the Industrial Training Institutes. While determining the number of vacancies, all the posts, presently occupied by the Guest

..3/-

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Instructors/Teachers in all the trades/subjects be taken into consideration;

(ii) Upon determination of such vacancies, the State shall initiate the process of recruitment for the said posts in accordance with the recruitment rules, as expeditiously as practicable, preferably within six months from the date of receipt of a copy of this order;

iii) All the Guest Instructors, who were engaged in terms of advertisement dated 19th February, 1999, issued by the Department of Industrial Training Vocational Education, Haryana, except the retired teachers, shall be permitted to apply for appointment for the said post pursuant to the said advertisement. They will, also be entitled to relaxation in age as also the weightage for their past service in terms of aforementioned letter dated 21.3.2007;

Iv) Till the entire process of recruitment in terms of this order is completed, the respondents before us shall be permitted to continue to work as Guest Instructors/Teachers. Needless to add that if any one of the respondents is not selected, he shall not continue as Guest Instructor, immediately on the publication of select list. Those who are selected, shall be treated as fresh appointees and will rank in seniority as juniors to those who have already been selected in terms of the earlier advertisements.

..4/-

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The orders impugned, relating to the regularization, shall stand modified to the extent indicated above.

The special leave petitions stand disposed of in the above terms.

In the light of the above order, no orders

seeking impleadment in SLP(C) No. 10168 of 2006 are  
called for in the application. The same is dismissed  
accordingly.

[ Charanjeet Kaur ]  
Court Master

[ Kusum Gulati ]  
Court Master