



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

1. CWP-12999-2020 (O&M)

Karaj Singh and others

....Petitioners

Versus

State of Punjab and others

....Respondents

2. CWP-19647-2020 (O&M)

Kulwant Singh and others

....Petitioners

Versus

State of Punjab and others

....Respondents

1.	Date when judgment was reserved	19.02.2026
2.	Date of pronouncement of judgment	27.02.2026
3.	Date of uploading judgment	27.02.2026
4.	Whether operative part or full judgment is pronounced	Full
5.	Delay, if any, in pronouncing of full judgment and reasons thereof	Not Applicable

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. K.S. Dadwal, Advocate
for the petitioners in CWP-12999-2020.

Mr. Vipin Mahajan, Sr. Advocate
with Ms. Chandanpreet Kaur Ahluwalia, Advocate
for the petitioners in CWP-19647-2020.

Mr. Vikas Arora, DAG, Punjab.

Mr. Sheaj Bir Singh, Advocate
with Ms. Muskan Gill, Advocate
and Mr. Dhruv Khosla, Advocate
for the respondent/PSPCL in both the cases.



HARPREET SINGH BRAR J. (Oral)

1. Vide this common order, I intend to dispose of CWP Nos.12999 and 19647 of 2020, as common questions of law and facts are involved for adjudication. For the sake of convenience, facts are taken from CWP-12999-2020.

2. Prayer in the writ petition (CWP-12999-2020) filed under Articles 226/227 of the Constitution of India, is for issuance of a writ in the nature of *certiorari*, for quashing the order dated 01.10.2019 (Annexure P-10) as well as the decision concerning to the cancellation of the post, as find mention in the impugned order passed by respondent No.3 is illegal as well as contrary to the report of the commission dated 19.09.2011 (Annexure P-4) and judgments dated 27.11.2013, 03.07.2019 and 28.08.2019 (Annexures P-5, P-8 and P-9, respectively) passed by this Court. Further a writ of *mandamus* has been sought, directing the respondents to consider and appoint the petitioners on the basis of their merit against the post, which were available and against which they have competed in pursuance to advertisement issued in January, 2011 (Annexure P-1) and also to grant all consequently benefits.

3. Learned counsel for the petitioners, *inter alia*, contends that as advertisement was issued in January, 2011, inviting applications for filling up 5000 posts of lineman on contractual basis at a consolidated salary of Rs.10,000/- per month. In the meantime, one PIL bearing **CWP-4881-2011**, titled as ***Ludhiana Hand Tools Association vs State***



of Punjab and others, was filed on the ground that the respondent/Corporation has surplus manpower and filling up of 5,000 posts of Lineman would result in wastage of public funds and this Court vide order dated 09.11.2011, permitted the respondent/Corporation to fill upto 1000 posts of Lineman as an interim measure. During the pendency of the aforesaid writ petition, the respondent/Corporation filed CM No.1923 of 2013, seeking clarification of the earlier order dated 19.07.2011, stating that there were 4388 vacant sanctioned post of Lineman and by 31.12.2013, 703 posts of Lineman would fall vacant due to the retirement and about 400 posts would be available due to the promotion. On the said application, this Court passed an order dated 22.01.2013 (Annexure P-3) clarifying that the Punjab State Electricity Regulatory Commission would look into the matter and submit its report within two months and till then, the respondent/Corporation will not make any recruitment proposed to be made. It was further clarified that the order would be operated till the submission of the report. In the meantime, on 19.09.2011, the respondent/Corporation issued work order to private contractor for engaging the technical persons through outsourcing. The aforesaid work order given to private contractor was challenged by certain unemployed persons by filing **CWP-13191-2013** and since the tenure of the work came to an end on 13.09.2013, thus, the said writ petition was rendered as infructuous. Thereafter, the report of Punjab State Electricity Regulatory Commission dated 27.11.2013 was filed and on 27.11.2013, the PIL i.e. **CWP-4881-2011** was disposed of.



The respondent/Corporation thereafter issued a public notice dated 20.12.2013, advertising approximately 1,000 posts of Lineman on contractual basis. Certain candidates, thereafter, filed **CWP-4458-2011**, titled as *Kulwant Singh and others vs State of Punjab and others*, seeking enhancement of upper age from 37 years to 39 years. On 11.03.2011, the Division Bench of this Court directed the respondents to consider the claim in accordance with law and no post would be filled up till the decision regarding the relaxation in age is passed. In purported compliance, the respondent/Corporation increased the upper age limit to the post of Lineman from 37 years to 39 years as the public notice dated 20.12.2013 was not issued in accordance with the report dated 19.09.2011 (Annexure P-4) as well as order dated 27.11.2013 passed in **CWP-4881-2011** (Annexure P-5). Thereafter, some of the candidates filed **CWP-1025-2014**, titled as *Balwinder Singh and others vs. Punjab State Corporation Limited and others* and **CWP-9498-2014** titled as *Sukhvir Singh and another vs. State of Punjab and others*, which were dismissed by the Coordinate Bench of this Court on 08.08.2016 (Annexure P-7). The intra-court appeal bearing **LPA-1940-2016**, titled as *Rajesh Kumar and others vs Punjab State Power Corporation Limited through its Chairman-cum-Managing Director and others*, was filed, which was ordered to be admitted on 03.10.2016. Since the case of the petitioners i.e. **CWP-18038-2017**, for the purpose of taking appointment against the post of Lineman was pending and the Coordinate Bench of this Court vide order dated



16.08.2017, ordered the same to be heard along with **LPA-1940-2016** and thus, an application i.e. CM No.17106 of 2017, was filed seeking early hearing, however, the same was dismissed on 08.02.2018 and thereafter, an SLP(C) No.1371 of 2018 was filed and during the pendency of the same, the Division Bench of this Court in **LPA-1940-2016**, directed the respondent/Corporation to consider the case of the appellants therein while taking into consideration the judgment rendered by the Hon'ble Supreme Court in *U.P. State Transport Corporation vs U.P. Parivahan Nigam, 1995 AIR (SC) 1115*, within a period of six weeks. Since the **LPA-1940-2016** was decided, the petitioners filed CM-10971-CWP-2019, which was disposed of by the Division Bench of this Court on 28.08.2019, in the same terms as is evident from Annexure P-9. In purported compliance, respondent No.3 vide order dated 01.10.2019, rejected the claim of the petitioners on the ground that vide order dated 19.11.2011, this Court only permitted filling up of 1,000 posts of Lineman and since the name of the petitioners did not fall upto 1,000 merit list, therefore, they were not issued the appointment letters and the Board of Directors of respondent/Corporation took a decision on 03.02.2014, to cancel the recruitment of remaining post of Lineman against the advertisement No.267 of 2011.

4. Learned counsel for the petitioners further submits that the impugned order dated 01.10.2019 (Annexure P-10) is an outcome of non-application of mind as the appointment of the petitioners was never under challenge before the Division Bench in *Ludhiana Hand Tools*



Association's case (supra). Moreover, the respondent/Corporation moved an application i.e. CM No.1923 of 2013, seeking clarification of the earlier order dated 19.07.2011, stating that there were 4388 vacant sanctioned post of Lineman and by 31.12.2013, 703 posts of Lineman would fall vacant due to the retirement and about 400 posts would be available due to the promotion. The petitioners had participated in the selection process and the Board of Directors of the respondent/Corporation made a U-turn from the stand taken in the aforesaid CM No.1923 of 2013, by canceling the recruitment on the remaining posts of Lineman issued against the advertisement No.267 of 2011. Moreover, the petitioners were not impleaded as a party in the aforesaid **Ludhiana Hand Tools Association's case (supra)**. The order dated 01.10.2019 (Annexure P-10) and the decision of the Board of Directors dated 03.02.2014, have given rise to a civil consequence and therefore, both of them are liable to be rejected on the ground of not adhering to the principles of natural justice. The petitioners were neither given any notice nor any opportunity of hearing was afforded to them. The petitioners were not given appointment merely due to pendency of PIL i.e. **Ludhiana Hand Tools Association's case (supra)**, however, once the litigation has come to an end and the respondent/Corporation in terms of the directions issued by this Court in **Kulwant Singh's case (supra) (CWP-4458-2011)**, has enhanced the upper age by giving relaxation to the post of Lineman, the petitioners cannot be denied the favourable order passed *qua* age relaxation. Once the petitioners have



duly participated in the selection process and they were successful merely because of pending litigation, their vested right cannot be negated in any manner. As such, the decision for cancelling the remaining vacancy taken by the Board of Directors on 03.02.2014, is not sustainable in the eyes of law. The petitioners were condemned unheard and they have crossed the upper age for seeking public employment merely because of the pending **CWP-4458-2011**, and therefore, the overall analysis of the factual matrix as well as the legal position and also in view of the availability of the sanctioned posts, the petitioners are entitled to be given preferential right in terms of Para 12 of the judgment rendered in *U.P. State Transport Corporation's case (supra)*. He further contends that if the age were alone could defeat the right of the petitioners, the same can be ignored as the respondent/Corporation has already relaxed the upper age limit in terms of the directions issued by this Court in *Kulwant Singh's case (supra)*.

5. Learned counsel for the petitioners refers to the judgment passed by the Division Bench of this Court in **LPA-1928-2019**, titled as *Saneh Lata and others vs State of Haryana and others*, in which the question was framed whether the State Government was justified to cancel the recruitment process after finalization and issuance of the select list only on account of pendency of litigation. Further, whether the candidates of the said select list have a vested right of appointment and cannot be put to any disadvantage on account of the act of the Court and the Division Bench of this Court concluded that the action of the



State Government to cancel the recruitment process once the select list has been issued without having challenging the orders of the learned Single Judge only on account of the pendency of the litigation also cannot be appreciated in any manner and once the select list has been forwarded to the Government, the rights of the selected candidates cannot be adversely affected by cancelling the advertisement. As such, the candidates have a vested right at the time when litigation was initiated being on the select list when the names have been forwarded by the Corporation.

6. *Per contra*, learned counsel for the respondent/Corporation, at the outset, submits that the petitioners have no vested right to claim appointment merely on the basis of participation in the selection process. Further, the respondent/Corporation was bound by the directions issued by this Court in ***Ludhiana Hand Tools Association's case (supra)***, and only 1,000 posts were ordered to be filled up and the order passed by the Division Bench of this Court has been duly complied with. Learned counsel for the respondent/Corporation further submits that the issue raised in the present writ petitions has been duly considered by this Court in **CWP-227-2014**, titled as ***Berojgar Linemen Union (Punjab) and others vs Punjab State Power Corporation Limited and another***, decided on **02.07.2015** and in **CWP-1025-2014**, titled as ***Balwinder Singh and others vs Punjab State Power Corporation Limited and others***, decided on **08.08.2016**. He submits that the Coordinate Benches of this Court, while examining the



validity of the decision taken by the Board of Directors on 03.02.2014 as well as the applicability of the judgment rendered in ***U.P. State Transport Corporation's case (supra)***, dismissed the said writ petitions.

7. Having heard learned counsel for the parties and after perusal of the record, this Court finds that the controversy raised in the present writ petitions is no longer *res integra*. The issue with regard to recruitment of Linemen pursuant to advertisement No.CRA-267 of 2011 and the decision of the respondent/Corporation dated 03.02.2014 to restrict the recruitment to 1,000 posts and to cancel the recruitment against the remaining posts has already been considered and decided by the Coordinate Benches of this Court in ***Berojgar Linemen Union's case (supra)*** and ***Balwinder Singh's case (supra)***.

8. The Coordinate Bench of this Court in ***Berojgar Linemen Union's case (supra)***, has categorically held that the recruitment pursuant to advertisement No.CRA-267 of 2011, has to be treated as confined to 1000 posts and the vacancies arising thereafter are future vacancies which cannot be filled from the prepared merit list pursuant to the said advertisement. The relevant observations read as under:

"I am unable to agree with the contentions of the Ld. Counsel for the petitioner and am of the view that the present writ petition deserves to be dismissed.

At the outset, it is necessary to remind oneself of the settled legal position that even successful candidates have no infeasible legal right to be appointed and such appointment can be denied for good and rational grounds.



*This position has been affirmed times without number. One need only refer the Constitution Bench decision in **Shankarsan Dash v. Union of India, (1991) 3 SCC 47**, wherein, it was observed as under:*

*“7. It is not correct to say that if a number of vacancies are notified for appointment and adequate number of candidates are found fit, the successful candidates acquire an indefeasible right to be appointed which cannot be legitimately denied. Ordinarily the notification merely amounts to an invitation to qualified candidates to apply for recruitment and on their selection they do not acquire any right to the post. Unless the relevant recruitment rules so indicate, the State is under no legal duty to fill up all or any of the vacancies. However, it does not mean that the State has the licence of acting in an arbitrary manner. The decision not to fill up the vacancies has to be taken bona fide for appropriate reasons. And if the vacancies or any of them are filled up, the State is bound to respect the comparative merit of the candidates, as reflected at the recruitment test, and no discrimination can be permitted. This correct position has been consistently followed by this Court, and we do not find any discordant note in the decisions in *State of Haryana v. Subash Chander Marwaha*, *Neelima Shangla v. State of Haryana*, or *Jatinder Kumar v. State of Punjab*.”*

As the selected candidates have no enforceable legal right to appointment, it has been also held that no mandamus can be claimed for appointment. In this context the following observations are pertinent:

S.S. Balu v. State of Kerala, (2009) 2 SCC 479, at page 484:

*13. In *State of Haryana v. Subash Chander Marwaha* this Court held: (SCC p. 226, paras 10-11)*

“10. E The mere fact that a candidate’s name appears in the list will not entitle him to a



mandamus that he be appointed. Indeed, if the State Government while making the selection for appointment had departed from the ranking given in the list, there would have been a legitimate grievance on the ground that the State Government had departed from the rules in this respect....

11. It must be remembered that the petition is for a mandamus. This Court has pointed out in Rai Shivendra Bahadur (Dr.) v. Nalanda College that in order that mandamus may issue to compel an authority to do something, it must be shown that the statute imposes a legal duty on that authority and the aggrieved party has a legal right under the statute to enforce its performance. Since there is no legal duty on the State Government to appoint all the 15 persons who are in the list and the petitioners have no legal right under the rules to enforce its performance the petition is clearly misconceived.”

14. In Pitta Naveen Kumar v. Raja Narasaiah Zangiti this Court held: (SCC p. 273, para 32)

“32. E A candidate does not have any legal right to be appointed. He in terms of Article 16 of the Constitution of India has only a right to be considered therefor. Consideration of the case of an individual candidate although ordinarily is required to be made in terms of the extant rules but strict adherence thereto would be necessary in a case where the rules operate only to the disadvantage of the candidates concerned and not otherwise.”

In the present case, no doubt, vide CRA 267/11, tentatively 5000 vacancies of Linemen were advertised. But because of CWP No.4881 of 2011 having been filed wherein this recruitment was questioned, initially, the respondent-Corporation was restrained from making appointment. It was only later, vide order dated 9.11.2011, 1000 posts of linemen were permitted to be filled up. These



orders thus furnished the compelling reason for the nonappointment in the year 2011 and hence the petitioners can raise no grievance regarding the same.

The petition was finally disposed of on 27.11.2013, with directions reproduced earlier which are being interpreted by the parties in their favour. The question is, whether the interpretation of the petitioners is the correct one and consistent with law or the one of the respondents.

In my view, the interpretation of the petitioners cannot be accepted and the orders dated 27.11.2013 in CWP No.4881 of 2011 cannot be understood to mean that any further appointment to the Linemen is to be made only from out of the merit list prepared pursuant to CRA 267/11, whereby, applications had been invited for recruitment of 5000 Linemen. CWP No.4881 of 2011 which was a Public Interest Petition was filed seeking a stay on the recruitment of 5000 linemen on the ground that this would result in wasteful expenditure and it was this issue that the Court was seized of in that petition. The report that the Commission prepared on the directions of the Court also dealt with this issue. The Commission in its report dated 19.9.2011 concluded that PSPCL/ PSTCL should recruit Linemen/ SSAs against CRA No. 267/11 in line with PwC reports. Thus, in my view, Ld. Counsel for the respondents is right in his assertion that this recommendation of the Commission only means that only such number of posts be filled against CRA 267/11 as are recommended in the PwC report to be filled in the year 2011. Ld. Counsel for the respondent-Corporation is also right in his assertion that this recommendation does not mean and could not be read to mean that all subsequent appointments of Linemen



whenever to be made in later years should to be from the merit of candidates who applied in response to CRA 267/11 till 5000 Linemen are appointed. He is right when he asserts that this would be akin to saying that a selection panel prepared far in excess of the available vacancies should operate indefinitely to fill vacancies which will arise in future as well till the panel is exhausted.

As per the recruitment plan prepared for the respondent Corporation in the PwC report, 1000 linemen were to be recruited in 2011. In 2012, 500 Linemen were to be recruited. Similarly 500 Linemen were to be recruited in 2013, and 350 each were to be recruited in the years 2014 and 2015. This Court approved the recommendations of the Commission, which in turn had approved of this PwC report. As only 1000 posts were permitted to be filled up in 2011, hence against the advertisement issued in the year 2011 posts in excess of 1000 posts could not be filled up. Nor could the posts for the subsequent recruitment years be filled based on this advertisement. Ld. Counsel for the respondents is right that this would be tantamount to advertising future vacancies, a course which has been held to be impermissible by the Hon'ble Supreme Court. Such a course would result in deprivation of the rights under Article 14 and 16 of the Constitution of the candidates who have become eligible subsequent to the earlier advertisement.

The proposition that future vacancies cannot be advertised as these would result in deprivation of the rights of candidates who become eligible subsequently has been settled by the Hon'ble Supreme Court in large number of cases.



Prem Singh v. Haryana SEB, (1996) 4 SCC 319, at page 330:

22. *In State of Bihar v. Madan Mohan Singh this Court held that the advertisement and the whole selection process were meant only for 32 vacancies. The process came to an end as soon as these vacancies were filled up. **If the same list has to be kept alive for the purpose of filling up of other vacancies, it would amount to deprivation of rights of other candidates who would have become eligible subsequent to the said advertisement and the selection process.***

23. *In State of Bihar v. Madan Mohan Singh, this Court has in terms held that if the advertisement and the consequent selection process were meant only to fill up a certain number of vacancies then the merit list will hold good for the purpose of filling up those notified vacancies and no further. In that case 32 vacancies were advertised but a select list of 129 candidates was prepared. A question arose whether more candidates could be appointed on the basis of the said select list. This Court held that once the 32 vacancies were filled up the process of selection for those 32 vacancies got exhausted and came to an end. **It was further held that if the same list has to be kept subsisting for the purpose of filling up other vacancies also that would naturally amount to deprivation of rights of other candidates who would have become eligible subsequent to the said advertisement and selection process...***

25. *From the above discussion of the case-law it becomes clear that the selection process by way of requisition and advertisement can be started for clear vacancies and also for anticipated vacancies but **not for future vacancies**. If the requisition and advertisement are for a certain number of posts only the State cannot make more appointments than the number of posts advertised, even though it might have prepared a select list of more candidates. The State can deviate from the advertisement and make*



appointments on posts falling vacant thereafter in exceptional circumstances only or in an emergent situation and that too by taking a policy decision in that behalf. Even when filling up of more posts than advertised is challenged the court may not, while exercising its extraordinary jurisdiction, invalidate the excess appointments and may mould the relief in such a manner as to strike a just balance between the interest of the State and the interest of persons seeking public employment. What relief should be granted in such cases would depend upon the facts and circumstances of each case.”

*In the same manner in **Hoshiar Singh v. State of Haryana, 1993 Supp (4) SCC 377**, it was observed:*

*10. The learned counsel for these appellants have not been able to show that after the revised requisition dated January 24, 1991 whereby the Board was requested to send its recommendation for 8 posts, any further requisition was sent by the Director General of Police for a larger number of posts. Since the requisition was for eight posts of Inspector of Police, the Board was required to send its recommendations for eight posts only. The Board, on its own, could not recommend names of 19 persons for appointment even though the requisition was for eight posts only because the selection and recommendation of larger number of persons than the posts for which requisition is sent. **The appointment on the additional posts on the basis of such selection and recommendation would deprive candidates who were not eligible for appointment to the posts on the last date for submission of applications mentioned in the advertisement and who became eligible for appointment thereafter, of the opportunity of being considered for appointment on the additional posts because if the said additional posts are advertised subsequently those who become eligible for appointment would be entitled to apply for the same.** The High Court was, therefore, right in holding that the selection of*



19 persons by the Board even though the requisition was for 8 posts only, was not legally sustainable.”

*To the same effect are the observations in **Mukul Saikia v. State of Assam, (2009) 1 SCC 386, at page 395:***

*“33. At the outset it should be noticed that the select list prepared by APSC could be used to fill the notified vacancies and not future vacancies. If the requisition and advertisement was only for 27 posts, the State cannot appoint more than the number of posts advertised, even though APSC had prepared a select list of 64 candidates. The select list got exhausted when all the 27 posts were filled. Thereafter, the candidates below the 27 appointed candidates have no right to claim appointment to any vacancy in regard to which selection was not held. The fact that evidently and admittedly the names of the appellants appeared in the select list dated 17-7-2000 below the persons who have been appointed on merit against the said 27 vacancies, and as such they could not have been appointed in excess of the number of posts advertised as the currency of select list had expired as soon as the number of posts advertised are filled up, **therefore, appointments beyond the number of posts advertised would amount to filling up future vacancies meant for direct candidates in violation of quota rules.** Therefore, the appellants are not entitled to claim any relief for themselves. The question that remains for consideration is whether there is any ground for challenging the regularisation of the private respondents.”*

Rakhi Ray v. High Court of Delhi, (2010) 2 SCC 637, at page 640 :

*“7. It is a settled legal proposition that vacancies cannot be filled up over and above the number of vacancies advertised as “the recruitment of the candidates in excess of the notified vacancies is a **denial and deprivation of the constitutional right under Article 14 read with Article 16(1) of the***



Constitution”, of those persons who acquired eligibility for the post in question in accordance with the statutory rules subsequent to the date of notification of vacancies. Filling up the vacancies over the notified vacancies is neither permissible nor desirable, for the reason, that it amounts to “improper exercise of power and only in a rare and exceptional circumstance and in emergent situation, such a rule can be deviated from and such a deviation is permissible only after adopting policy decision based on some rationale”, otherwise the exercise would be arbitrary. Filling up of vacancies over the notified vacancies amounts to filling up of future vacancies and thus, is not permissible in law. (Vide Union of India v. Ishwar Singh Khatri, Gujarat State Dy. Executive Engineers’ Assn. v. State of Gujarat, State of Bihar v. Secretariat Asstt. Successful Examinees Union 1986, Prem Singh v. Haryana SEB and Ashok Kumar v. Banking Service Recruitment Board.)”

Arup Das v. State of Assam, (2012) 5 SCC 559, at page 563:

“17. It is well established that an authority cannot make any selection/appointment beyond the number of posts advertised, even if there were a larger number of posts available than those advertised. The principle behind the said decision is that if that was allowed to be done, such action would be entirely arbitrary and violative of Articles 14 and 16 of the Constitution, since other candidates who had chosen not to apply for the vacant posts which were being sought to be filled, could have also applied if they had known that the other vacancies would also be under consideration for being filled up.”

Union of India v. Ishwar Singh Khatri, 1992 Supp (3) SCC 84, at page 86 :

“4. Mr Subba Rao for the appellant urged that the candidates included in the panels prepared by the



Selection Board as far back in June 1984 cannot be held to have the right to appointment against vacancies arising subsequent to preparation of the panels. According to counsel, if that right is conceded it would be arbitrary and contrary to Article 16(1) of the Constitution which guarantees opportunity for all citizens in matters of employment or appointment to any office under the State. There is little doubt about this proposition. The selected candidates ordinarily will have a right to appointment against vacancies notified or available till the select list is prepared. They in any event cannot have a right against future vacancies.”

Thus, the advertisement CRA 267/11 has be read as being limited to 1000 posts of linemen. Such number of linemen had been appointed after the order dated 9.11.2011 of this Court. The posts permitted to be filled up in the subsequent years 2012-2015 as per the recruitment plan prepared by the PwC and approved by the Commission in its report dated 19.9.2011, cannot be filled up on the basis of CRA 267/11, as these have to be treated as future vacancies vis- a- vis this advertisement. For filling up these posts permitted to be filled in the years 2012 and 2013, rightly the impugned advertisement has been issued.

Further it is well settled that a selection list prepared can remain valid only for such limited period as prescribed under the relevant rules. If appointments are not made within the said period, then fresh selection is required to be made. Usually the selection list has a validity of only one year. In the present case no rules have been relied upon by the petitioners to show that the selection list would remain valid even for three-four years. As the petitioners have failed to establish any right



in this regard the petition merits dismissal on this ground as well.

Accordingly, there is no merit in the present petition and the same is dismissed.”

9. The Coordinate Bench of this Court in ***Balwinder Singh’s case (supra)*** while relying upon the judgment passed by this Court in ***Berojgar Linemen Union’s case (supra)*** has dismissed the similar claims and held that the petitioners had failed to establish any enforceable right to appointment.

10. Since the issue involved in the present writ petitions has already attained finality before the Coordinate Benches of this Court in ***Berojgar Linemen Union’s case (supra)*** and ***Balwinder Singh’s case (supra)***, therefore, this Court cannot take a view contrary to the view already expressed. It is a settled principle of judicial discipline that a Coordinate Bench is bound to follow the judgment of an earlier Coordinate Bench.

11. Moreover, the reliance placed by learned counsel for the petitioners on the interim orders passed in earlier rounds of litigation granting age relaxation also does not advance the case of the petitioners, as such directions were issued only to enable the petitioners to participate in subsequent recruitment processes and cannot be construed as creating any vested right in their favour for appointment under the advertisement No.CRA-267 of 2011.

12. Furthermore, even if the petitioners are granted the benefit of age relaxation in terms of the directions issued by this Court in earlier



proceedings, the same would not confer any right of appointment upon them in view of the binding judgments cited by the Coordinate Bench of this Court in *Berojgar Linemen Union's case (supra)*.

13. In view of the foregoing reasons, finding no merit in the present writ petitions, the same are hereby dismissed.

14. A photocopy of this order be placed on the file of other connected case.

(HARPREET SINGH BRAR)
JUDGE

27.02.2026

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Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No