

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH.

Civil Writ Petition No. 778 of 2012

DATE OF DECISION : March 26, 2015

Karamjit Singh

..... PETITIONER(S)

VERSUS

State of Punjab & ors.

.... RESPONDENT(S)

CORAM : HON'BLE MR. JUSTICE ARUN PALLI

Present: Ms. Anjali Khosla, Advocate, for the petitioner.
Mr. A.P.S. Mann, Additional Advocate General, Punjab,
for the respondents.

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1. Whether Reporters of local newspapers may be allowed to see the judgment? YES/NO

2. To be referred to the Reporter or not? YES/NO

3. Whether the judgment should be reported in the digest? YES/NO

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ARUN PALLI, J. (Oral)

In short, the grievance set out by the petitioner before this Court was that he belonged to Scheduled Castes category and had competed for selection against the post of Multi Purpose Health Worker, under the reserved category. The merit list (Annexure P-8) prepared by the respondents showed that the last

candidate, who was selected and appointed in the Scheduled Castes category, had obtained 55 marks, whereas the petitioner had, admittedly, secured 60 marks. Further, it was maintained that 56 posts of Multi Purpose Health Worker were still lying vacant.

Pursuant to the notice issued by this Court, the respondents filed their respective written statements. In the written statement filed on behalf of respondent No.3, it is maintained that the petitioner had applied and competed against the posts reserved for Scheduled Castes (Ramdasia and others) category. And the merit list showed that the last selected candidate in the category of the petitioner had obtained 67.5 marks and the candidate, who was wait-listed, had obtained 66 marks. Since, the petitioner did not belong to Scheduled Castes (Mazbi and Balmiki) category, therefore, there was no occasion for him to be considered in the said category. Further, in a separate written statement filed on behalf of respondents No.1 and 2, it is stated that there is no backlog of Scheduled Castes category, as all the posts have been filled up.

Learned counsel for the petitioner does not dispute the position as reflected in the written statements filed by the respondents. No replication has been filed either to controvert the position indicated above.

Concededly, petitioner had applied in the Scheduled Castes (Ramdasia and others) category and had obtained 60 marks. Records show that the last candidate in the said category had obtained 67.5 marks. So much so, the candidate,

who was wait-listed in the petitioner's category, had also obtained 66 marks, i.e. more than the marks obtained by the petitioner.

In the wake of the position as set out above, no interference under Article 226 of the Constitution is warranted. The petition, being devoid of merit, is hereby dismissed.

MARCH 26, 2015
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(ARUN PALLI)
JUDGE