

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

LPA No.1155 of 2015(O&M)

Date of decision:22.9.2015

Shanta Devi

....Appellant

VERSUS

State of Haryana and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE HEMANT GUPTA

HON'BLE MRS. JUSTICE RAJ RAHUL GARG

Present: Mr. B.D. Sharma, Advocate for the appellant.

HEMANT GUPTA, J.(Oral)

The present Letters Patent Appeal under Clause X of the Letters Patent is directed against an order passed by learned Single Bench of this Court on 26.11.2014 whereby the writ petition filed by the appellant to seek direction for her appointment as Principal beyond the advertised vacancies was dismissed.

The Haryana Public Service Commission made recommendation for appointment of 11 candidates but the appellant was not in the said select list of 11 posts advertised. All the recommended candidates joined as Principal.

The grievance of the appellant is that she is in the waiting list and that since new posts have become available, therefore, the appellant should be appointed against the posts which have now become available.

The appellant has no right to seek appointment against the posts which were not advertised and when she was not in the select list. The appellant cannot claim a writ of mandamus for appointment against the posts which were not even advertised.

As and when the posts are advertised, all eligible candidates have to be considered but since the appellant was not one of the candidates in the select list, she cannot claim any writ of mandamus for a direction to seek appointment.

In view of the above, we do not find any merit in the present Letters Patent Appeal against the well reasoned order passed by the learned Single Judge.

Dismissed.

(HEMANT GUPTA)
JUDGE

SEPTEMBER 22, 2015
‘D. Gulati’

(RAJ RAHUL GARG)
JUDGE