

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

CWP No.9613 of 1993

Date of decision: January 06, 2016

Anil Kumar

...Petitioner

versus

Haryana State Electricity Board and another

...Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

Present: Mr.Vishal Nehra, Advocate,
for the petitioner.

Mr. P.S. Poonia, Advocate,
for respondent No.1.

None for respondent No.2.

RITU BAHRI, J.

The petitioner is seeking quashing of selection list with regard to the posts Junior Engineers (Trainee), which were filled up pursuant to advertisement (Annexure P-1).

As per advertisement (Annexure P-1), 62 posts of Junior Engineers were advertised. However, as the selection process took time, 144 persons were selected and made to join. Thereafter, the selection process was challenged as the appointments had been made beyond 62 posts, which were advertised vide Annexure P-1. Consequently, the selection was quashed and the said order was challenged before the Hon'ble Supreme Court. Vide judgment dated 07.05.1996 (Annexure P-6) passed by the Hon'ble Supreme Court, appointments beyond 87 posts were held invalid.

It is not in dispute between the parties that no post was reserved

for the category of handicapped persons. In the present case, respondent No.2-Balwant Singh was selected against one post belonging to physically handicapped quota, which became available when candidates were appointed beyond the advertised posts. Since the selection was not held beyond 87 posts, the petitioner has no cause of action to seek any relief of appointment. In the absence of availability of post meant for handicapped category, the writ petition deserves to be dismissed.

Resultantly, the present petition is dismissed.

(RITU BAHRI)
JUDGE

January 06, 2016.
ajp