

C.W.P No. 15250 of 1999

(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

1. C.W.P No. 15250 of 1999

Ram MurtiPetitioner

Versus

State of Punjab and othersRespondents

2. C.W.P No. 5929 of 1999

Rajneesh GuptaPetitioner

Versus

State of Punjab and othersRespondents

3. C.W.P No. 5790 of 1999

Manjit SinghPetitioner

Versus

State of Punjab and othersRespondents

4. C.W.P No. 13429 of 1999

Tarlochan SinghPetitioner

Versus

State of Punjab and othersRespondents

DATE OF DECISION: 12.07.2016

BEFORE:- HON'BLE MRS. JUSTICE DAYA CHAUDHARY

1. **Whether reporters of local newspaper may be allowed to see judgment? (Yes/No)**
2. **To be referred to reporters or not? (Yes/No)**
3. **Whether the judgment should be reported in the Digest? (Yes/No)**

Present:- None for the petitioner (s).

Mr. Prateek Mahajan, Advocate
for respondent No.9 in C.W.P. No. 15250 of 1999.

DAYA CHAUDHARY, J.

This order of mine shall dispose of four writ petitions bearing Nos. 15250 of 1999, 5929 of 1999, 5790 of 1999 and 13429 of 1999 as the selection challenged in all the petitions is the same. For the sake of convenience, facts have been extracted from C.W.P. No. 15250 of 1999.

The present petition has been filed under Article 226 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing the selection of respondents No. 5 to 9. A further prayer has also been made for quashing of advertisement published in the daily “The Tribune” dated 15.6.1998 and to conduct interview afresh after considering the petitioner as one of the candidates.

The writ petition was admitted for hearing on 22.5.2001.

Separate replies on behalf of respondents have been filed and the same are on record.

Learned counsel for respondent No. 9 submits that the petitioner who has filed this petition has also retired from the post against which he was working on attaining the age of superannuation. In case any order in his favour is passed, even then he cannot get any benefit.

Learned counsel for respondent-State submits that the petitioner was not considered being over age at that time. The present petition was filed in the year 1999. The private respondents are working since then and the petitioner is not going to get any benefit in case the selection is quashed at this stage.

Heard the arguments advanced by learned counsel for the parties and have also gone through the documents available on the file.

The advertisement for inviting applications for the post of Motor Vehicle Inspector was published in daily newspaper "The Tribune" on 15.6.1998. The petitioner was not considered for said post and the selection was challenged in the present petition. A perusal of contents of the writ petition would show that the petitioner was working as Technician Grade-II at the time of submission of the application. Now he is stated to have retired from that post on attaining the age of superannuation. Moreover, the petitioner was not considered because he was over age at that time. The selection is of the year 1999 and the petition is pending since then after admission. Since the private respondents are still working on those posts, it would not be in the interest of justice to interfere at this stage as the petitioner is not going to get any benefit out of that.

In view of the above, there is no merit in the petition and the same is hereby dismissed.

July 12, 2016
pooja

(DAYA CHAUDHARY)
JUDGE