

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP No.10748 of 2013
Date of Decision:- 28.03.2016

Jatinder Kumar

....Petitioner

Versus

Civil Surgeon Kaithal and others

....Respondents

CORAM: HON'BLE MS. JUSTICE RITU BAHRI

**Present: Mr. R.K. Malik, Advocate,
for the petitioner.**

Mr. Ravi Partap Singh, Asstt. Advocate General, Haryana.

**Mr. Vikas Chaudhary, Advocate
for respondent No.2.**

RITU BAHRI, J. (Oral)

Petitioner by way of present petition is seeking quashing of selection of respondent Nos.2 and 3 from the post of Accounts Assistant and further directions to respondent No.1 to appoint him being S.C. Candidate in place of respondent Nos.2 and 3 (General Category).

Petitioner has participated in the selection process for the post of six Accounts Assistant, which were allocated to District Kaithal. Out of said six posts, two posts reserved for scheduled caste candidates and four posts for general category candidates. The advertisement was issued on 23.12.2012.

After interviewing the candidates, the merit list was prepared and four candidates from the top position was appointed as Accounts Assistant. No suitable candidate from scheduled caste category was found fit for the employment of Accounts Assistant and the said two said posts of reserved category could not be filled. Thereafter, on account of non-availability of suitable candidate from the scheduled caste category, these two posts were converted into general category keeping in view the exigency of duties of Accounts Assistant and respondent Nos.2 and 3 have been engaged from the waiting list of general category.

Petitioner has already participated in the selection process and cannot seek directions to appoint him in the vacant post made for scheduled caste even though he has not been found suitable. Respondent Nos.2 and 3 have been appointed on the said posts from the waiting list of the general category.

In this view of the matter, no case for interference is made out and the present writ petition is hereby dismissed.

March 28, 2016
naresh.k

(**RITU BAHRI**)
JUDGE