

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

CWP No. 27455 of 2015
Date of decision: 05.01.2016

Nippy Garg

....Petitioner(s)

Versus

State of Punjab and others

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr. Sushil Saini, Advocate for the petitioner.

G.S.SANDHAWALIA, J. (Oral)

Challenge in the present writ petition is to the order dated 10.10.2014 (Annexure P6), passed by respondent No.2, whereby the claim of the petitioner for consideration for appointment as Building Inspector, against General Category quota, has been rejected. The said respondent had noticed, in the impugned order that the petitioner has got 41.25 marks in the written test and is at Sr.No.30, in the merit list. The last person who has joined in the General Category was at Sr.No.28 in the merit list, having obtained 42 marks. Therefore, no person has been appointed below the petitioner, in the merit.

Counsel for the petitioner has placed reliance upon the observations made in para No.9 of the impugned order that one Umesh Thukral, at Sr.No.15 in the merit list, had filed a writ petition and one vacancy had been kept for him. It is stated that the said writ petition has been dismissed as not pressed and therefore, there is a vacancy.

There is no averment made in the writ petition that the said person has not joined, on the basis of which, the petitioner is entitled for

consideration. Even otherwise, there was no wait-list prepared and therefore, the petitioner does not have any vested right of appointment. The impugned order does not suffer from any infirmity which would merit consideration by this Court, as the merit of the candidates has been kept in consideration while making appointment. The order is dated 10.10.2014 and the present writ petition has been filed after more than a year. In such circumstances, there is no scope for interference in the present writ petition.

Dismissed in limine.

05.01.2016
sailesh

(G.S. SANDHAWALIA)
JUDGE