

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

LPA-1374-2016 (O&M)

Date of Decision: August 03, 2016

Karam Singh

.....Appellant

Versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE SURYA KANT
HON'BLE MR. JUSTICE SUDIP AHLUWALIA**

Present: Mr.Ramesh Goyal, Advocate
for the appellant.

.....

SURYA KANT, J.

This intra Court appeal assailed the order dated 11.05.2016 whereby learned Single Judge has rejected the appellant's claim to consider him for appointment to PCS (Executive Branch) under Register `C' instead of Register A-II.

There are different channels for recruitment to PCS (Executive Branch) from various categories of employees of the State Government. While Register `C' contains the names of employees other than the ministerial staff, Register A-II is meant for Ministerial Cadre, Group A and B.

The appellant is working as an Auditor in the Department of

Finance (Treasuries & Accounts). He applied under Register A-II, i.e. to treat him as a member of ministerial cadre but the Department, on consideration of nature of duties etc., forwarded his application to consider him under Register `C'. As the appellant could not make it to merit under Register `C', he challenged his inclusion in Register `C' and sought a direction to reconsider his candidature under Register A-II.

Learned Single Judge has turned down the appellant's claim observing that his name was recommended by the Department under Register `C' before the cut off date and it was very much displayed on the website also in the list of candidates under Register `C'. He took a chance for his selection under that source but having failed, cannot now turned around and claim eligibility under a different source.

It has been further found that nature of duties assigned to the appellant justifies his inclusion under Register A-II as he cannot claim parity with a Junior Auditor, whose claim was found well merited in CWP-21065-2014, decided on 29.02.2016 (**Ravi Behal vs State of Punjab and others**).

Learned Single Judge further found that claim of the appellant was closely similar to the one considered in CWP-21010-2014 (**Mohinder Kumar vs State of Punjab and others**) decided on 10.10.2014, which was a case of Legal Assistant, who unsuccessfully wanted to be included under Register `C' from Register A-II.

No legal or factual infirmity in the order passed by learned

Single Judge has been pointed out by the appellant.

Dismissed.

(SURYA KANT)
JUDGE

August 03, 2016
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(SUDIP AHLUWALIA)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether Reportable	:	Yes/No