

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

LPA No. 159 of 2016 (O&M)

DATE OF DECISION : 03.02.2016

Krishan Kumar

.... APPELLANT

Versus

State Bank of India and another

.... RESPONDENTS

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL
HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr. Babbar Bhan, Advocate,
for the appellant.

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SATISH KUMAR MITTAL, J. (Oral)

This intra-court appeal under Clause X of the Letters Patent has been filed against the order dated 17.01.2014 passed by the learned Single Judge, whereby the writ petition (CWP No. 13447 of 2010) filed by the appellant seeking direction to the respondents to consider and appoint him on the post of Security Guard on contract basis has been dismissed.

Though there is delay of 12 days in filing and 632 days in re-filing the appeal and the appellant has filed applications (CM Nos. 316-17-LPA of 2016) for condoning the said delay, yet we have heard learned counsel for the appellant on merits and have gone through the impugned order.

While dismissing the writ petition, the learned Single Judge has

observed on fact that claim of the appellant was considered against 55 vacancies earmarked for General category. The appellant secured 95 marks along with 13 other candidates. However, the last person who was offered appointment in the General category had secured 96 marks. It has also been found that all the 55 posts earmarked for General category stand consumed and now, no vacant post in the said category is available, for which claim of the appellant can be considered.

Learned counsel for the appellant could neither controvert the aforesaid factual position nor point out any illegality in the impugned order passed by the learned Single Judge. Hence, we do not find any merit in the instant appeal.

Dismissed.

(SATISH KUMAR MITTAL)
JUDGE

February 03, 2016
ndj

(HARINDER SINGH SIDHU)
JUDGE