

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

**CWP No. 3179 of 2000
Date of Decision: 01.03.2017**

Nirbhai Singh

...Petitioner

Versus

State of Punjab & Others

...Respondents

CORAM: HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- None for the petitioner.

Mr. Avinit Avasthi, AAG, Punjab.

JAISHREE THAKUR, J. (Oral)

The instant writ petition was filed seeking a writ in the nature of Certiorari to be issued to set aside the selection of respondents No. 4 to 6 who were appointed to the post of Boiler Incharge.

An advertisement was issued on 01.01.1998 (Annexure P-1) inviting applications for appointment to the post of Boiler Incharge. The petitioner applied along with others and during the process of selection, appointment was offered to him on contract basis. As per the terms of the contract, the petitioner was allowed to continue in the job till a regular appointment is made by the Subordinate Service Selection Board, Punjab. The Selection Committee interviewed the petitioner and others but offered appointment to three persons in the General Category without offering any post to a person from the reserved category of Schedule Caste. Aggrieved, the petitioner approached the Department, however, on getting no relief, he approached this Court by way of instant writ petition.

The petitioner prayed for a direction to be issued that he be

allowed to continue on the post till a regular candidate from the reserved category of Schedule Caste is appointed with a further prayer that the selection made of the three persons is not in consonance with law.

Mr. Avinit Avasthi, AAG, Punjab argues that all the posts of Boiler Incharge were advertised by the respondents belonging to the General Category and as per the roster point available as on 01.01.1998 and the petitioner belonging to the SC Category could not have been given appointment on the said post. It is also brought to the notice of this Court that the petitioner is no longer in service having been given appointment only for a limited period of time on contract basis.

In view of the fact that no one has put in appearance on behalf of the petitioner when the matter was admitted as far back as 2002, when the matter was taken up for consideration on 09.02.2017 and even today, the Court can safely presume that the petitioner is no longer interested in pursuing the matter.

Accordingly, the writ petition is dismissed for non-prosecution.

March 01, 2017
Ansari

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No