

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-14133-2012 (O&M)

Date of Decision:-14.12.2017.

Amit Kumar

.....Petitioner

Versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Naveen Daryal, Advocate for the petitioner.

Mr. Vivek Singla, Advocate for the respondents.

P.B. BAJANTHRI, J. (Oral)

In the instant writ petition, petitioner has sought for the following relief:-

“a) for issuance of a writ order, direction especially in the nature of certiorari for quashing the selection of one Manoj Kumar, who was over aged at the time of appointment, which is illegal, arbitrary, discriminatory, against the rule of natural justice and deserve to be set-aside.

Or

Issuance of writ in the nature of mandamus directing the respondent to consider the case of the petitioner for the appointment in the Air Force being a senior in the waiting list selected candidate with all consequential benefits.”

Petitioner is a candidate for recruitment to the post of Airman.

Even though he has participated in the process of selection, his name was not included in the main as well as waiting list. Perusal of the petitioner's prayer in respect of 4th respondent Manoj Kumar, it is evident from the record that Manoj Kumar is not over-age as on the date of recruitment. Even if he is junior to the petitioner unless and until petitioner points out from the record that his name has been included in the main list or waiting list so as to seek extension of relief with reference to operation of waiting list beyond the fixed period. Petitioner has not pointed out any legal right has been created or vested in his favour in the process of selection. Petitioner has not made out a case so as to seek relief in the prayer for the reasons that as long as his name is not reflected in the main list or waiting list, no right is created in his favour.

Accordingly, petition stands dismissed.

(P.B. BAJANTHRI)
JUDGE

December 14, 2017.
sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.