

HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

LPA-560-2016 (O&M)

Date of Decision: January 19, 2017

Nippy Garg

.....Appellant

Versus

State of Punjab and others

.....Respondents

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

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|----|---|---------|
| 1. | To be referred to the Reporters or not? | Yes/No |
| 2. | Whether the judgment should be reported in the Digest? | Yes/No. |
| 3. | Whether Reporters of local papers may be allowed to see the judgment? | Yes/No |

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Present: Mr.R.V.S.Chugh, Advocate
for the appellant.

Mr.Piyush Bansal, DAG, Punjab.

Mr.Sanjeev Soni, Advocate
for respondent No.4.

Mr.C.S.Jattana, Advocate
for respondent No.5.

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SURYA KANT, J.

The instant Letters Patent Appeal has laid challenge to the order dated 05.01.2016 vide which learned Single Judge has dismissed the appellant's writ petition, seeking his appointment on the post of Building Inspector.

[2] The uncontroverted facts are that 50 posts of Building Inspectors were advertised on 25.09.2013 and the appellant also applied for those posts. According to the appellant, merit list of 125 candidates of general and reserved category candidates was prepared but out of them only

48 candidates were declared to have been selected. The appellant further claims that two out of those selected candidates did not join in the general category and she being the immediate next candidate in the order of merit, is entitled for appointment.

Learned Single Judge has turned down the appellant's claim on the ground that no wait-list was prepared and that the appellant does not have any vested right to seek appointment.

Learned State counsel reiterates that no wait-list was prepared as per record. It is further pointed out that respondent No.5 (Rajat Jain) secured more marks than the appellant and if at all there is a waiting list, respondent No.5 being higher in merit than the appellant, has a preferential rights for appointment. Learned counsel for respondent No.5 also reiterates his superior claim for appointment.

In the light of these facts, no case to issue the desired directions is made out.

Dismissed.

**(SURYA KANT)
JUDGE**

January 19, 2017
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**(SUDIP AHLUWALIA)
JUDGE**

1.	Whether speaking/reasoned ?	Yes/No
2.	Whether reportable ?	Yes/No