

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

CWP No.20329 of 2013 (O&M)

Date of Decision:22.3.2018

Anil Kumar

... Petitioner

Versus

HPSC and another

... Respondents

CORAM:- HON'BLE MR. JUSTICE RAJIV NARAIN RAINA

Present: Mr.Raj Kumar Rathore, Advocate for
Mr.Ramesh Malik, Advocate for the petitioner

Mr.H.N.Mehtani, Advocate for respondent no.1

Ms.Shruti Jain Goyal, AAG, Haryana

RAJIV NARAIN RAINA, J. (Oral)

When this matter came up for hearing on 2nd March, 2017, this

Court passed the following order:-

“By this petition the petitioner has challenged the selection process for the post of District Welfare Officer advertised by advertisement dated 13.05.2011 on various grounds. Learned counsel for the Commission points out that as a result of the advertisement dated 13.05.2011 actually no selection was made and those very posts were again advertised on 22.11.2013 with the same qualification. The petitioner competed for District Welfare Officer but in that selection also his candidature was rejected on the ground that he was not eligible. The ground for considering him ineligible was that he had obtained experience prior to obtaining the essential qualification of Masters. This action of the respondents was challenged by the petitioner by filing CWP-8544-2014 which was dismissed on 24.10.2016 and this Court upheld the contention of the Commission that the petitioner was not eligible since he had obtained the experience prior to getting the necessary qualification.

Prima Facie to me it appears that if this judgment has attained finality it may not be open to the petitioner to claim appointment against the advertisement of 30.05.2011 because it would mean that he has accepted that he was not eligible for the same post.

A Copy of that judgement is handed over by the learned counsel for the respondent to learned counsel for the petitioner.

Learned counsel for the petitioner seeks some time to go through it.

Adjourned to 10.05.2017.”

Evidently, no further adjudication is required. The order dated 24th October, 2016 passed in petitioner's earlier CWP No.8544 of 2014 has attained finality. In any case the selection process initiated on 13th May, 2011 to fill the post of District Welfare Officer has become infructuous since no appointments were made pursuant to the advertisement. Request for adjournment made by the next friend of the arguing counsel for the petitioner is rejected since no case is made out for interference or for continuing these proceedings any further.

Disposed of accordingly.

(RAJIV NARAIN RAINA)
JUDGE

22.3.2018
MFK

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No