

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

**CWP 219/2018
Date of decision:10.01.2018**

Shiber Singh and another

.....Petitioners

v.

State of Punjab and others

.....Respondents

Coram: Hon'ble Mr.Justice Jaswant Singh

Present:- Mr.MS Bedi,Advocate for the petitioners.

Jaswant Singh,J,(Oral).

Petitioners, two in number are seeking a writ of mandamus directing the respondents to consider their names for recruitment as driver in Punbus. It is claimed by them that they were hired on contract basis through outsourcing recruitment in PUNBUS Roadways Depot Ludhiana in the years 2008 and 2011. They applied against 1252 advertised posts of Driver but could not make to selection list. Hence the present writ petition.

Grievance of the petitioner is that though they fulfilled all the requisite qualifications/experience etc., yet they have not been selected and thus pick and choose policy has been alleged.

Heard learned counsel for the petitioner at length and perused the paperbook with his able assistance.

A perusal of notice dated August,2015 (Annexure P-12) reveals that against advertised 1250 posts of Driver on contract basis by PUNBUS in August 2014, the selections were finalized on 9.7.2015. Only 698 posts were filled up and candidature of applicants like petitioners who

did not fulfill the eligibility criteria/ could not produce requisite documents were found to “not qualified” for their selection as Drivers. By public Notice P-12, an opportunity to produce documents by 19.8.2015 was extended to all such candidates,who could not produce them earlier.

At the time of hearing learned counsel for the petitioner has not been able to show that petitioners fulfilled the eligibility criteria and possessed requisite documents and despite that they have been non-suited. The petitioners after delay of 2-1/2 years are raking up the issue of pick and choose policy adopted by Selection Committee. The judgment by a Coordinate Bench rendered in CWP 26679 of 2015 decided on 7.10.2016 (P-13) relates to appointment of Drivers in Haryana and relief was granted to candidate who filed the writ petition promptly and on account of junior in merit having been appointed. The facts are, thus, distinguishable.

In view of the above,finding no merit the instant writ petition is dismissed.

10.01.2018
joshi

(Jaswant Singh)
Judge

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No