

**CM-2960-LPA-2015 and
CM-681-LPA-2017 in/and
LPA-1352-2015 (O&M)**

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

**CM-2960-LPA-2015 and
CM-681-LPA-2017 in/and
LPA-1352-2015 (O&M)
Date of Decision: August 13, 2018**

Satvinder SinghAppellant
Versus
Institute of Banking Personnel Selection (IBPS)Respondent

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

Present: Mr.Suneel Ranga, Advocate for the appellant.
Mr.Anmol Rattan Sidhu, Sr.Advocate with
Mr.Aayush Gupta, Advocate for the respondent.

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SURYA KANT, J.(ORAL)

CM-2960-LPA-2015

Application is allowed subject to all just exceptions and
Annexures A-1 to A-3 are taken on record.

CM stands disposed of.

CM-681-LPA-2017

Application is allowed subject to all just exceptions and
Annexure R-1 is taken on record.

CM stands disposed of.

LPA-1352-2015

This Letters Patent Appeal is directed against the order dated
April 10, 2015 whereby learned Single Judge dismissed the appellant's writ
petition on two counts. Firstly, it has been held that respondent 'Institute of

Banking Personnel Selection (IBPS)' is not a "State" within the meaning of Article 12 of the Constitution, hence, it is not amenable to writ jurisdiction of this Court. Secondly, the candidature of the appellant for the post of Probationary Officer was rightly rejected as he did not produce a valid 'OBC' Certificate, which must have been issued by the Competent Authority during the period 01.04.2013 to 31.03.2014. The Certificate relied upon by the appellant was issued on 15.03.2013.

[2] Adverting to the second point first, learned counsel for the appellant states that the appellant is no longer interested in the post of Probationary Officer as meanwhile he has been promoted to the Management Grade, which is not less than that of a Probationary Officer. As regard to point No.1, namely, maintainability of writ petition, prima facie, we find that the issue is seriously debatable. We are, however, informed that there is already a Reference pending before Division Bench of this Court on this issue. It is, thus, not expedient for us to express any views on merit and leave the question open to be determined in the pending Reference and/or in any subsequent proceeding which may be initiated by an aggrieved candidate like the appellant.

[3] The appeal is disposed of in above terms.

**(SURYA KANT)
JUDGE**

August 13, 2018
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**(SUDIP AHLUWALIA)
JUDGE**

- 1. Whether speaking/reasoned ?**
- 2. Whether reportable ?**

**Yes/No
Yes/No**