

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

LPA No. 590 of 2016 (O&M)
In CWP No. 4770 of 2011

Date of decision: 16.5.2018

Surinder Pal Singh

.. Appellant

vs

State of Punjab and others

.. Respondents

**Coram: Hon'ble Mr. Justice Rajesh Bindal
Hon'ble Mr. Justice Deepak Sibal**

Present: Mr. Kamal Narula, Advocate, for the appellant.
Mr. Suveer Sheokand, Additional Advocate General, Punjab.

Rajesh Bindal, J.

Order passed by the learned Single Judge dismissing the writ petition has been impugned by filing the present intra-court appeal.

The dispute in the present case is pertaining to the post of a teaching fellow. The writ petition was filed claiming that the appellant is more meritorious than the last selected candidate. However, the explanation of the official respondents was accepted to the extent that the appellant was given number of opportunities to appear in the counselling, but he failed. As a result, the person next in the merit was appointed.

The plea taken by the appellant is that in fact, he had attended the counselling on 13.12.2011, but was not allowed to participate. The plea was raised in the Court more than three years after the aforesaid date. Immediately after 13.12.2011 no application was filed in Court, though the

writ petition was pending. The appellant could have raised the plea by filing application that he was not allowed to participate in the counselling.

There is no error in the order passed by the learned Single Judge. The appeal is accordingly dismissed.

(Rajesh Bindal)
Judge

16.5.2018
vs

(Deepak Sibal)
Judge

Whether speaking/ reasoned
Whether Reportable

Yes/No
Yes/No