

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

RSA-5349-2015 (O&M)

Date of Decision:-19.03.2018.

Dr. Ashok Kumar Sharma

.....Petitioner

Versus

Union of India and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present: Mr. Ivneet Singh Pabla, Advocate for the petitioner.

P.B. BAJANTHRI, J. (Oral)

Present appeal is against the concurrent finding of the Courts below dated 14.01.2013 and 20.12.2014.

(2.) It is reliably learnt that State has advertised for the post of Demonstrator in the Shri Krishna Govt. Ayurved College, Kurukshetra on 18.10.2003. Pursuant to the advertisement, appellant and contesting respondent Nos.8 to 10 were candidates. When the process of selection and appointment is over, appellant has questioned the selection and appointment of respondent Nos.8 to 10 while contending that the post of Demonstrator was abolished way back on 03.05.1991 which is admitted by the official respondents. Therefore, selection and appointment of the contesting respondent Nos.8 to 10 is liable to be set aside. Undisputedly, appellant has participated in the process of selection. Having participated in the process of selection, appellant had surrendered his right to selection process and due

to non-selection, he came to know that post of Demonstrator was not existing as on the date of advertisement which is not disputed by the official respondents in view of their submission in the reply statement before the Lower Court. In view of the participation of the appellant, he cannot turn around and contend that advertisement dated 18.10.2003 is contrary to decision of the official respondents insofar as abolishing the post of Demonstrator. In other words, Demonstrator posts were advertisement and process of selection is completed. Appellant has no *locus standi* in view of Supreme Court decision passed in **Madan Lal and others Vs. State of J& K and others (1995) 3 SCC 486.** It is for the official respondents to verify whether the post of Demonstrator was existing or not. Appellant has not urged any other ground. Appellant has not made out a case so as to interfere with orders passed by the Courts below.

(3.) Appeal stands dismissed.

(P.B. BAJANTHRI)
JUDGE

March 19, 2018.

sandeep

Whether speaking/reasoned:-

Yes / No

Whether Reportable:-

Yes / No.