

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

**CWP No.3217 of 2019 (O&M)
Date of Decision.16.07.2019**

Savita Yadav

...Petitioner

Vs

State of Haryana and another

..Respondents

CORAM:HON'BLE MR. JUSTICE AMIT RAWAL

Present: Mr. R.D. Yadav, Advocate
for the petitioner.

-:-

AMIT RAWAL J. (ORAL)

Prayer in writ petition is for issuance of direction to respondents to give appointment/joining to the petitioner on post of TGT Science (Mewat) as more than 20 posts, despite selection process is over, are lying vacant.

Learned counsel for petitioner submitted that Haryana Staff Selection Commission caused Advertisement No.3/2015 for filling up Category C posts including TGT Science (Mewat). Petitioner being fully eligible submitted application under General Category, appeared in written examination and declared pass. Thereafter, result was declared on 13.10.2018 (Annexure P-4) on the basis of written examination, scrutiny of documents and interview but petitioner could not make merit list of candidates but was at Sr. No.1 after last selected candidate. Since posts are lying vacant, therefore, appropriate direction may be issued to fill them up.

I am afraid aforementioned argument would not sustainable. Such direction cannot be issued by this Court, as it is the Department, who sends requisition to Staff Selection Commission for

filling up posts. In case of such direction, it would open a back door for such candidates, who could not be able to make cut-off marks. Once petitioner has not been able to obtain required marks for making to merit list, non-fulfillment of posts cannot be a ground for issuance of mandamus. No ground for interference is made out.

Dismissed.

(AMIT RAWAL)
JUDGE

July 16, 2019
Pankaj*

Whether speaking/reasoned Yes

Whether reportable No