

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

**Civil Writ Petition No. 5095 of 2019 (O&M)
Date of decision : 11.07.2019**

Jaswinder Singh

... Petitioner

versus

State of Punjab & Anr.

... Respondents

CORAM:-HON'BLE MR. JUSTICE ARUN MONGA

Present: Mr. Gaurav Sharma, Advocate
for the petitioner.

Ms. Ambika Bedi, AAG Punjab

ARUN MONGA, J(ORAL)

Grievance of the petitioner is that he has not been appointed as Physical Training Instructor despite the fact that certain other persons, who were lower in merit list dated 28.06.2012(Annexure P-7), have been given appointment.

On advance service of copy of petition, State has filed an affidavit wherein it has been deposed that subsequently a fresh merit-list was prepared and in consonance thereof, appointment letters have been issued in accordance with merit of the candidates. As regards specific contention of the petitioner in Para No.15 of the writ petition that three candidates who were lower in merit than him in Scheduled Castes(R&O) category have been appointed as reflected from public notice dated 03.10.2018(Annexure P-11), it has been specifically stated in the return that reliance placed on the said public notice by the petitioner to press his claim, is misconceived since said public notice was withdrawal subsequently. It is stated that same is to be knowledge of the petitioner and he has concealed this fact from this Court.

In view of the above specific stand of having withdrawn the public notice, there are no grounds to interfere and the writ petition is accordingly dismissed. Liberty is given to the petitioner to challenge the fresh appointments made in accordance with re-casted seniority list, in the event of appointment of any person lower in merit to him.

11.07.2019

Jiten

(ARUN MONGA)
JUDGE

- | | | |
|----|-----------------------------|---------|
| 1. | Whether speaking/ reasoned: | Yes/ No |
| 2. | Whether reportable: | Yes/ No |