

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

CWP-11246-2019

Date of decision: 01.05.2019.

SHAMSHER SINGH

..... Petitioner.

Vs.

STATE OF PUNJAB AND OTHERS

..... Respondents.

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

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

TEJINDER SINGH DHINDSA, J (ORAL).

Petitioner seeks setting aside of the selection proceedings dated 05.06.2017 (Annexure P-6) conducted by the Ajitwal Multipurpose Cooperative Agriculture Service Society and in pursuance to which respondent no.5 has been appointed as a Salesman.

The precise case projected on behalf of the petitioner is that prior to the proceedings dated 05.06.2017, an interview process had been conducted even on 28.04.2017 in which 08 candidates, including the present petitioner had appeared. It is also the contention raised by the learned counsel for the petitioner that in such proceedings, petitioner was the most meritorious candidate. It is vehemently urged that without finalizing the proceedings conducted on 28.04.2017 a second interview process has been undertaken on 05.06.2017 and that too in a clandestine manner, so as to accommodate respondent no.5 and who is alleged to be a relative of a member of the society.

During the course of arguments a specific query was put to counsel as to whether any advertisement/notice had been issued with regard to the interview/proceedings that were conducted on 05.06.2017. The response by counsel was evasive.

However, the averments made in para 15 of the writ petition

would reveal that a fresh advertisement for the post of Salesman had been issued in a newspaper. In the same breath, it has been averred that such advertisement was in a daily newspaper which has a very low circulation in the area.

Be that as it may, neither the fresh advertisement has been placed on record and nor is it the case of the petitioner that he had applied for the post of Salesman in pursuance to such second advertisement.

For the prayer in the instant writ petition to be examined, it was imperative for the petitioner to have placed on record the fresh advertisement as also to have raised a specific challenge to the action of the respondent authorities in having abandoned the first selection process/interview that took place on 28.04.2017.

The petitioner having not taken the afore noticed steps, no intervention in the matter is called for.

Petition dismissed.

The instant order was dictated in open Court. Having taken his chance and confronted with an order of dismissal, counsel at this stage, seeks withdrawal of the writ petition. The request made by the counsel can only be termed as unfortunate. Same is rejected.

01.05.2019

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**(TEJINDER SINGH DHINDSA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No