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

CWP-7199-2015

Date of Decision: July 03, 2019

Jaspreet Singh

... Petitioner

vs.

State of Punjab & Ors

.. Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : None for the petitioner

Ms. Ambika Bedi, AAG, Punjab.

Mr. Shekhar Verma, Advocate, for respondents No.2 and 3.

ARUN MONGA, J.(ORAL)

By way of writ petition herein, quashing of order dated 09.12.2014 (Annexure P-9) has been sought vide which the claim of the petitioner has been rejected for appointment to the post of Computer Faculty by respondent No.2. As a sequel, a *mandamus* has also been sought directing the respondents to issue an appointment letter in favour of the petitioner.

2. I have gone through the rival pleadings and heard learned counsel for the respondents.

3. Respondent No.3-Punjab Information & Communication Technology Education Society (for short PICTES) is a society registered under the Societies Registration Act, 1860. The said society/PICTES advertised 700 posts of Computer Faculty and pursuant thereto the petitioner also applied in general category. Written test for the same was conducted and the successful candidates were called for counseling. First counseling was held from 28.09.2012 to 30.09.2012 and 353 candidates from general category were called as against 350 posts who had obtained marks ranging from 47.25 to 67. During the first counseling, 44 candidates were absent and, accordingly, the rest of 309 candidates belonging to general category were issued appointment letters.

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4. In order to fill the vacant posts, second counseling was held from 11.03.2013 to 13.03.2013 after issuance of public notice (Annexure P-5) in this regard. The petitioner also appeared for the second counseling on 12.03.2013 as he had secured 45.75 marks in the written test. After completion of the counseling process, appointment letters were issued to the successful candidates for filling up of the 41 vacant posts in the general category, as per the merit list prepared on the basis of written test. The last candidate selected in the general category after the second counseling had secured 46.25 marks whereas, the petitioner has secured lesser marks than that i.e. 45.75. Accordingly, the petitioner was not selected for the post of Computer Faculty.

5. Learned counsel for respondents No.2 and 3 submits that out of the total 700 posts for Computer Faculty, there were only 350 posts (50% of the posts) kept in the general category and all the said posts have been duly filled up and no waiting list was prepared. He further submits that after fulfilling all the vacancies, the recruitment process was also closed. He further argues that if any vacancy is caused after the closure of the recruitment process, the same has to be filled up by way of a fresh recruitment process by issuing a fresh advertisement.

6. In the circumstance, there is no scope for interference under the extraordinary writ jurisdiction of this Court. The petitioner has been rightly held not entitled to the appointment. The writ petition is, accordingly, dismissed. No order as to costs.

July 03, 2019
smriti

(ARUN MONGA)
JUDGE

Whether speaking/reasoned	: Yes/No
Whether Reportable	: Yes/No