

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

LPA No. 870 of 2017 (O&M)

Date of Decision: 27.08.2019

Ranjeet Singh

.....Appellant

versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE KRISHNA MURARI, CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

Present : Mr. Naresh Jain, Advocate, for the appellant.
Mr. Vipul Jindal, Advocate for respondent No.2.
Ms. Monica Chhibbar Sharma, Sr. Deputy Advocate General,
Punjab.

KRISHNA MURARI, CHIEF JUSTICE (oral)

This intra-court appeal under Clause X of the Letters Patent is directed against the judgment and order dated 15.03.2017 passed by the learned Single Judge dismissing the writ petition filed by the appellant.

2. In pursuance to an advertisement issued by respondent No.2 for appointment on the post of Driver cum Conductor, the appellant-petitioner made an application as an Ex-serviceman. He appeared before the interview Board but was not offered any appointment.

3. Aggrieved he approached this Court by filing the writ petition claiming to be appointed on the said post being the only candidate under the Ex-serviceman category. The proceedings were contested by respondent No.2 on the ground that the post on which the appellant-petitioner applied was reserved for SC Ex-servicemen category. It was further pleaded that the post which was advertised was to fill the roster point at No.53 which was reserved for SC Ex-servicemen category and since the appellant-petitioner did not belong to that category as such he could not have been appointed. It was also pleaded that there was an error in the advertisement inasmuch as it was not indicated that the post was reserved for SC Ex-servicemen category.

4. Leaned Single Judge dismissed the writ petition on the ground that merely because the appellant-petitioner was the sole person under the Ex-Servicemen category who appeared in the interview cannot constitute a basis for giving him appointment as the post was reserved according to the roster point for SC Ex-serviceman and even the mistake in the advertisement would not enure to any benefit to the appellant-petitioner. By means of an additional affidavit filed by the respondents it was also brought on record that the roster point Nos. 7, 14, 28 and 44 which were meant for the category of Ex-servicemen were already exhausted on the date the advertisement was published leaving no scope for consideration of the appellant-petitioner for being appointed.

5. The appellant-petitioner could only have been appointed on a vacancy on his own roster point and since the same was not available at the relevant time when the advertisement was issued, no illegality is reflected in the impugned order of the learned Single Judge which may require any interference. A mere inadvertent mistake that crept into the advertisement in our considered opinion as well would not enure any benefit to the appellant-petitioner so as to grant him any benefit.

The appeal is thus devoid of merits and accordingly stands dismissed.

(KRISHNA MURARI)
CHIEF JUSTICE

(ARUN PALLI)
JUDGE

27.08.2019
ravinder

Whether speaking/reasoned	√Yes/No
Whether reportable	Yes/No√