

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

**LPA No.304 of 2019(O&M)
Date of decision: 28.03.2019**

Uma Rani

... 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. Kusum Chopra, Advocate, for the appellant.

KRISHNA MURARI, C.J. (Oral)

This intra-court appeal under Clause X of the Letters Patent is directed against the judgment and order 03.10.2018 passed by the learned Single Judge dismissing the writ petition filed by the appellant seeking a writ in the nature of mandamus commanding the respondents to appoint her as Teaching Fellow against the posts lying vacant.

Admittedly, for appointment on the post of Teaching Fellow, advertisement inviting applications was issued on 05.09.2007. Appellant-petitioner along with others was also one of the applicants. She made an application under the un-reserved category against the posts meant for District Gurdaspur. The case set up by the appellant-petitioner is that she secured 64.19 marks, whereas the last selected candidate in the said category secured 64.94 marks, but since after verification of testimonials, the candidature of 309 candidates in District Gurdaspur was cancelled, she ought to have been given appointment against the posts, which are lying vacant. This claim was disputed by the respondents stating that the

appellant-petitioner had secured 59.192 marks in the General Category (Female) and the last selected candidate in the said category was standing on the merit of 65.020 marks.

Learned Single Judge also found that the department had already cancelled the selection process of remaining posts on 29.07.2013, on account of various legal complications and thereafter did not proceed with the selection process and, hence, the appellant-petitioner cannot be said to have vested with any right for consideration and selection on the posts which are lying vacant.

Appellant-petitioner was non-suited on both the grounds, namely, her claim with respect to merit was found against the record and the selection process had already been cancelled. We find no good reason or ground before us to take a view different from the learned Single Judge. The impugned order does not require any interference. The appeal is devoid of merits and accordingly stands dismissed.

(Krishna Murari)
Chief Justice

(Arun Palli)
Judge

28.03.2019

Rajan

Whether speaking / reasoned:
Whether Reportable:

YES
NO