

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

CWP-16028-2020 (O&M)
Date of decision: 01.10.2020

Sandeep Khanna

...Petitioner

Versus

Haryana Staff Selection Commission and another

...Respondents

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sandeep Kumar Yadav, Advocate for the petitioner.

Mr. Samarth Sagar, Addl. A.G. Haryana.

ANIL KSHETARPAL, J. (ORAL)

This writ petition has been filed under Article 226/227 of Constitution of India for issuance of a writ in the nature of mandamus directing the respondent to consider the candidature of the petitioner for appointment to Group “D” post in Scheduled Caste category pursuant to recruitment notice No.4/2018 dated 05.03.2019.

The petitioner claims that he has secured total 59 marks in a competitive test and for socio-economic criteria jointly. It has been pleaded that Jooni Kumar-respondent No.2 has also secured 59 marks.

Sh. Samarth Sagar, Additional Advocate General, Haryana, has appeared pursuant to supply of an advance copy of the writ petition and states that he has got instructions from Haryana Staff Selection Commission that Jooni Kumar and Mange Lal had secured 60 marks and not 59 marks as

alleged by the writ petitioner.

Learned counsel for the petitioner further contends that two posts in Scheduled Caste category are lying vacant.

Be that as it may. The Court cannot force an employer to fill up the posts.

Keeping in view the aforesaid facts, there is no merit in the petition. Hence, dismissed.

All the pending miscellaneous applications, if any, are disposed of, in view of the above-stated order.

01.10.2020

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No