

113 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CWP-8466-2022
Date of Decision: 30.05.2022

NEERAJ

...Petitioner

Versus

STATE OF HARYANA AND ANOTHER

...Respondents

CORAM: HON'BLE MR. JUSTICE ARUN MONGA

Present : Mr. Jai Bhagwan Sharma, Advocate
for the petitioner.

Mr. Pankaj Middha, Addl. A.G., Haryana.

ARUN MONGA, J. (ORAL)

Petitioner herein, *inter alia*, seeks issuance of a writ in the nature of *mandamus* for directing the respondents to consider his appointment as Junior Engineer (Civil) on a post reserved in EWS Category. He is on waiting list and claims that there is vacancy against withheld posts of JE.

2. As per final result, the petitioner is stated to be at serial No.4 in the waiting list. Grievance of the petitioner is that despite his request to respondent No.2, his name is not being considered against vacant/unfilled posts per his merit position. Hence, the instant petition.

3. Heard the rival contentions.

4. Concededly, entire case is based on completely wrong misunderstanding premised on an impression, which petitioner gathered from whatever source, that one post of Junior Engineer in the category he had applied, has been withheld by the respondents. He being next in line in the waiting list has to be offered the same, in case the said post is filled up.

5. Learned State counsel, under instructions of Mr. Jagdeep, Law Officer, Haryana Staff Selection Commission states at the bar that there is no post vacant as on today. Even otherwise, no candidate in the waiting list, who is below the petitioner, has been offered any post so as to make the petitioner feel as if he is more meritorious and his claim has not been accepted.

6. The other apprehension of the petitioner that some of the candidatures may be rejected and his merit will move up and yet he will not be offered the appointment, is also completely misplaced. It is expected of the Commission to strictly adhere to the merit list.

7. No grounds to interfere.

8. Dismissed.

May 30, 2022
gurpreet

(ARUN MONGA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No