

In the High Court of Punjab and Haryana at Chandigarh

106+213

CWP-11379-2016 (O & M)

Date of Decision: May 16, 2022

ANIL KUMAR

....PETITIONER

VERSUS

**GURU JAMBHESHWAR UNIV OF
SCIENCE AND TECH**

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. B.S. Rathee, Advocate for the petitioner.

Mr. Puneet Gupta, Advocate for the respondent.

ANUPINDER SINGH GREWAL, J (ORAL)

CM-609-CWP-2020

This application is for placing on record the additional affidavit.

Application is allowed and additional affidavit is taken on record.

Main case

The petitioner has sought a direction to the respondent to complete the selection process for the non-teaching posts advertised through advertisement No.1 of 2014.

Learned counsel for the petitioner submits that the petitioner had applied for the post of Assistant Director (Distance Education) in response to the afore-noted advertisement. The petitioner was the more meritorious in the written examination, but the respondent without any valid reasons did not go ahead with the selection and their action for stopping the selection midway is not bona fide especially when selection to the other posts which were also advertised along with the instant advertisement has been completed.

Learned counsel for the respondent while referring to the reply submits that as the criteria for selection had not been spelt out in the

advertisement, a decision was taken not to complete the selection with regard to unfilled posts. There are 09 other categories of posts, besides, the post, which the petitioner had applied, which were not filled. The petitioner had only taken the written examination and, therefore, he does not have any indefeasible right for selection especially when the interview had yet to take place. He further submits that another advertisement was issued in the year 2018 and the respondent was asked by the Government not to go ahead with that selection. The unfilled posts shall be filled through a fresh advertisement when the Government permits the institution to do so

Heard.

The petitioner had applied for the post of Assistant Director (Distance Education). He had only participated in the written examination. Before the interview could be held, the respondent had taken a decision not to fill up the posts of Assistant Director (Distance Education) and other 9 categories of posts as criteria for selection had not been spelt out. It is well settled that a person on the select list has no indefeasible right to appointment. Reference can be made to the judgment of **Shankarsan Dash vs. Union of India**, 1991 AIR (SC) 1612. The petitioner herein had only qualified the written examination and before the interview could take place, the selection process had been scrapped due to want of criteria. Therefore, I do not find any merit in the instant petition.

The petition stands dismissed.

(ANUPINDER SINGH GREWAL)
JUDGE

May 16, 2022

A.Kaundal

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