

**CWP-1033-2015****1****IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****(204)****CWP-1033-2015****Date of Decision : December 11, 2024****Seema Tiwari****.. Petitioner****Versus****State of Punjab and others****.. Respondents****CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI**

Present: Mr. Sumit Batra, Advocate, for the petitioner.

Ms. Shruti, Assistant Advocate General, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

1. In the present petition, the grievance being raised by the petitioner is that the petitioner competed for the post of Assistant Librarian as advertised vide Advertisement No.6 of 2012 (Annexure P-1).

2. The petitioner competed against five posts in the general category. The petitioner is claiming that one post which has been given to the private respondent No.3, has wrongly been given to her and the same should have been given to the petitioner keeping in view the fact that the evaluation of the private respondent No.3 has wrongly been done so as to grant her the merit over and above the petitioner.

3. Upon notice of motion, the respondents have filed the reply wherein, the respondents have stated that five posts of the general category were advertised and five names were recommended which did not include the name of the petitioner.

4. Learned counsel for the respondents submits that out of the five candidates recommended in the general category, one candidate did not join

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and the said post has been kept vacant keeping in view the order passed by this Court but there are two other candidates who are higher in merit than the petitioner in general category who had better claim than the petitioner hence, the petitioner cannot raise any grievance that her claim for appointment and selection has been declined in an arbitrary manner.

5. I have heard learned counsel for the parties and have gone through the record with their able assistance.

6. Once, the petitioner did not had merit to be selected and appointed against five posts of the general category, the petitioner cannot raise any grievance.

7. The grievance raised by the petitioner against private respondent cannot get the petitioner selected qua the said post and consequent appointment as there are two other candidates namely Sukhdeep Kaur and Anu Saini, who were higher in merit than the petitioner in the general category to claim the post in case the respondent No.3 is not to be selected.

8. Further, a period of 10 years have elapsed and the granting the appointment as of now and that too in preference to the candidates, who are higher in merit, will not be in the interest of justice.

9. Keeping in view the above, no ground is made out for any interference by this Court in the facts and circumstances of the present case.

10. Accordingly, the writ petition is dismissed.

December 11, 2024*harsha***(HARSIMRAN SINGH SETHI)****JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No