



CWP-28367-2017 (O&M) -1-

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CWP-28367-2017 (O&M)
Date of Decision :02.09.2024

Rabinder Singh and another

...Petitioners

Versus

Subordinate Service Selection Board and another

...Respondents

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Priyanshu Kamra, Advocate for the petitioners.

Mr. Charanpreet Singh, AAG, Punjab
assisted by Ram Singh, Sr. Assistant, Subordinate Service
Selection Board

* * *

Harsimran Singh Sethi, J. (Oral)

In the present petition, grievance of the petitioners is that they competed in pursuance to advertisement dated 29.12.2015 (Annexure P/1) issued by the respondents for the post of Junior Technician and as there were vacancies in the general category, the petitioners are entitled for the grant of appointment on the basis of the merit obtained by them.

Learned counsel for the petitioners submits that 03 vacancies in the general category arose as per the information received in Annexure P/5, which were to be filled up on the basis of the merit but the petitioners, who are next in merit were not given the said appointment against those vacancies.

Learned counsel for the respondents on instructions from Mr. Ram Singh, Sr. Assistant, Subordinate Service Selection Board submits that



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all the advertised posts have already been filled up and there is no vacancy available as of now hence, the assertion that the said posts are lying vacant so as to consider the claim of the petitioners, is incorrect.

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

A Coordinate Bench of this Court passed a detailed order on 03.03.2020 wherein, it has been mentioned that the posts have been filled up in accordance with the merit and nobody lower in merit has been granted selection/appointment so as to cause prejudice.

With regard to the availability of the vacancy, respondent-State was given time to respond.

Learned counsel for the respondent-State submits that keeping in view the letter received from the Commission wherein, details of the appointment made, have been given, clearly shows that there is no vacancy qua the post of Junior Technician in the general category which are being claimed by the petitioners and all the posts have already been filled up.

Keeping in view the stand of the respondent-State, once, all the posts have already been filled up and there is no vacant post available and no candidate lower in merit has been appointed, no further orders are required to be passed by this Court and the present petition is accordingly dismissed.

Civil miscellaneous application pending, if any is also disposed of.

September 02, 2024
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No