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

CWP-23936-2024

Date of Decision: 19.09.2024

DHANNA SINGH

..... Petitioner

Versus

STATE OF PUNJAB AND ANOTHER

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. S.P.S. Aulakh, Advocate
for the petitioner.

Mr. Aman Dhir, DAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondent No.2 to consider him for the post of Constable.

2. The claim of petitioner relates to advertisement No.1/2016 dated 31.05.2016 (Annexure P-1). The final result of said advertisement was declared in October' 2016. Many candidates preferred writ petitions before this Court assailing merit list. By common order dated 05.07.2021 a bunch of petitions consisting 159 writ petitions was disposed of. Another bunch of 50 writ petitions was adjudicated vide judgment dated 26.05.2023. A fresh merit list was issued on 18.05.2022.

3. The name of the petitioner did not figure either in the earlier or subsequent merit list. He was neither party to first bunch of writ petitions nor second bunch of writ petition. He is a fence sitter. He opted

to remain silent for 8 years and after such a long period has approached this Court assailing merit list.

4. Mr. Aman Dhir, DAG, Punjab, who on advance notice, submits that fresh merit list was issued on 18.05.2022 and selection process is already complete. The petitioner has opted to remain indolent.

5. I have heard the arguments of learned counsel for the parties and perused the record.

6. It is undisputed that selection process has already completed. As submitted by learned State Counsel, all the candidates including those forming part of waiting list have already been selected. There is no more alive waiting list. The petitioner may be right in his claim, however, by his act and conduct, he has waived his right. A fresh merit list was issued on 18.05.2022 and many candidates approached this Court or other authorities. The petitioner has acted as a fence sitter and Court cannot come to the rescue of a fence sitter.

7. Dismissed.

(JAGMOHAN BANSAL)
JUDGE

19.09.2024
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>