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

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**CWP-30787-2018 (O&M).
Date of Decision: 11.03.2025.**

KULVINDER SINGH

... Petitioner

Versus

**NATIONAL INSTITUTE OF TECHNOLOGY, KURUKSHETRA
AND OTHERS**

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE VINOD S. BHARDWAJ.

Present: Mr. Lokesh Kaushik, Advocate,
for the petitioner.

Mr. A.S. Virk, Advocate,
for respondents No.1 and 2.

VINOD S. BHARDWAJ, J. (ORAL)

Prayer in the present petition was for directing the respondents to consider the petitioner for the post of Technical Officer through promotional quota advertised by National Institute of Technology, Kurukshetra, vide advertisement No.41/2018 of 09.11.2018 (Annexure P-3).

2 A further prayer was made for seeking quashing of the advertisement No.41/2018 of 09.11.2018 to the extent that appointment of Technical Officer should not be made through direct recruitment.

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3 At the very outset, it does not lie for any person to contend that a post falling in a specific roster/quota should not be filled up by means of making appointment through the said mode. The entitlement of the petitioner, if any, is only for being considered against the post of promotional quota in case he is eligible or to apply for being appointed through the direct recruitment subject to eligibility in the advertisement.

4 Learned counsel for the respondents-NIT, however, informs that the recruitment rules provide for the Technical Officer to be appointed by way of direct recruitment to the extent of 75% and 25% posts were to be filled up by way of promotion. He contends that the process of appointment to the post of Technical Officers has already concluded and the selected candidates have already been offered appointments. He further submits that the respondent had also initiated the process for filling the posts of Technical Officers by way of promotion and that the claim of the petitioner was also considered, however, he was not found suitable for the post of Technical Officer by the Departmental Promotion Committee. He submits that the result of the Departmental Promotion Committee and the order of promotion pursuant to the minutes of meeting dated 22.01.2020 have been challenged by the petitioner in a separate writ petition bearing CWP No.9917 of 2024.

5 Noticing the aforesaid circumstances and considering that the prayer of the petitioner was solely for being considered against the promotional quota and as he having been considered and not found suitable against which such grievance he has already availed his remedy of filing a

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separate writ petition, I find that the grievance as espoused originally in the present petition does not survive any further.

6 The present petition is accordingly dismissed at this stage.

7 This order shall, however, have no bearing on the final consideration of the subsequent writ petition filed by the petitioner.

March 11, 2025.
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(VINOD S. BHARDWAJ)
JUDGE

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