



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

210

CWP-6024-2018

Date of Decision: 21.01.2025

GURDIP SINGH

... Petitioner

VERSUS

**PUNJAB NATIONAL BANK THR ITS
MANAGING DIRECTOR & ORS**

... Respondents

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

Present: Mr. Nitin Kaushal, Advocate and
Mr. Sahil, Advocate, for the petitioner.
Mr. Saurav Verma, Advocate
for the respondents.

VINOD S. BHARDWAJ, J. (ORAL)

Challenge in the present petition is to the list of candidates dated 17.01.2017 (Annexure P-3) issued by Deputy Circle Head of Punjab National Bank, whereby the candidates were selected for the post of Armed Guards, alleging that the said list is arbitrary and is in utter disregard to the terms and conditions prescribed in the advertisement dated 07.11.2016.

Learned counsel for the petitioner contends that the respondent-Bank had issued an Advertisement-cum-Recruitment Notice for appointing the Armed Guards in different branches of the respondent-Bank. The district-wise distribution of the seats/posts is as under:

1.	Fatehgarh Sahib	=	1
2.	Mansa	=	6
3.	Mohali	=	6
4.	Patiala	=	7

5.	Ropar	=	5
6.	Sangrur	=	9
	Total	=	34

Counsel for the petitioner further contends that one of the essential conditions for submission of application form was that the applicant must be resident of the District in which the vacancy is available; and that an eligible candidate is required to produce domicile certificate to prove his permanent residential address. The said condition is reproduced as under:

“Place of Domicile.

The candidate must be resident of District in which the vacancy exists. The eligible candidates have to produce the domicile certificate to establish his permanent residence.”

He submits that being an eligible candidate, the petitioner applied for the post of Armed Guard in Subordinate Cadre Guard against vacancies advertised for District Mohali. The petitioner, being eligible and qualified, was accordingly called for scrutiny of documents and submission of medical certificate as well as physical screening test. It is contended that the respondents thereafter published a list dated 17.01.2017 (impugned herein) but the name of the petitioner did not figure therein. He contends that the respondents have selected more candidates than the number of posts advertised, which is illegal and unjustified.

On a pointed query put to him, counsel for the petitioner does not dispute that as against six posts advertised for District Mohali, only two persons have been recommended/selected for appointment. He thus fairly concedes that it is *ex facie* not a case of appointment beyond the number of posts advertised for District Mohali.

He has also been confronted with the specific stand taken by the respondents that the petitioner had duly participated in the selection process, however, in the physical screening test of running 2.4 kilometers, the petitioner timed 13.03 minutes, whereas the maximum permissible time for qualifying the Race/Run was 12.45 minutes; and since he failed to qualify the physical screening test of Race/Running, he could not clear the said test. It is also evident that the petitioner has not raised any challenge to the result so prepared or to the marks given to him in the physical test. Learned counsel for the petitioner could not advance any cogent argument to controvert the abovesaid factual aspect.

Since the appointments have not been made beyond the number of posts advertised for District Mohali, for which the petitioner was a candidate, I fail to find as to how, merely because the respondents may have appointed more candidates in any other district where the petitioner was not a candidate, cause of action would arise in favour of the petitioner to approach this Court to challenge the select list. The petitioner cannot pursue third party's cause nor the same is intended to herein.

Under the given circumstances, I am of the opinion that there is no subsisting grievance in the present petition which may justify sustainability of the present petition at the instance of the petitioner.

The writ petition is accordingly dismissed.

JANUARY 21, 2025.

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**(VINOD S. BHARDWAJ)
JUDGE**

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No