



CWP-35289-2024

-1-

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

123

CWP-35289-2024

Date of decision: 14.01.2025

AJAY BISHNOI

....PETITIONER

Vs.

**CHANDIGARH ADMINISTRATION THROUGH ITS SECRETARY,
DEPARTMENT OF LOCAL BODIES AND OTHERS**

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr. Mandeep K. Saajan, Advocate
for the petitioner (through V.C.).

Mr. Sanjiv Ghai, Advocate and
Mr. Parminder S. Kaul, Advocate
for respondent Nos. 2 to 4-M.C.

JAGMOHAN BANSAL, J (ORAL)

1. The petitioner through instant petition under Articles 226/227 of the Constitution of India is seeking direction to respondents to issue him appointment letter for the post of Driver.
2. The petitioner, pursuant to an advertisement applied for the post of Driver under 'Other Backward Class' Category. He belongs to Bishnoi Caste. The respondents after completing formalities, declared final result on 19.09.2021. The name of the petitioner figured at Serial No. 34 in the list of General Category candidates. The respondent also prepared list of Scheduled Caste, Other Backward Class, Ex-servicemen (General), Ex-servicemen (OBC) and Economically Weaker Section candidates. 16 posts were meant for General Category and 16 for OBC Category.

**CWP-35289-2024**

-2-

3. Mr. Mandeep K. Saajan, Advocate submits that petitioner was at Serial No. 34 and there were total 56 seats, thus, his candidature has been wrongly rejected.

4. *Per contra*, Mr. Sanjiv Ghai, Advocate submits that petitioner applied under OBC category. He belongs to State of Rajasthan. U.T., Chandigarh has prepared its own OBC list wherein 'Bishnoi Caste' does not figure. Bishnoi Caste does not even figure in the Union List for U.T., Chandigarh. Thus, there was no question for the respondent to consider the petitioner under OBC category. The petitioner is misinterpreting the result of the candidates. Annexure P-11 is disclosing status of General Category candidates. The petitioner was at Serial No. 34 in the list of General Category candidates and there were 16 seats, thus, there was no question to issue appointment letter to him.

5. I have heard the arguments of both sides and with the able assistance of learned counsel perused the record.

6. From the perusal of record, it is quite evident that Annexure P-11 is the list of General Category candidates. The said list was declared on 19.09.2021. Firstly, the petitioner has approached this Court after 3 years and there is no explanation for the aforesaid delay. Nevertheless, the petitioner has no case on merit. His name does not figure in the Union list of OBC for Chandigarh. Thus, he could not be considered as OBC candidate. He was considered as General Category Candidate and his name appeared at Serial No. 34 whereas 16 seats were earmarked for General Category Candidates. There was no reason to issue him appointment letter until and unless more than 15 candidates had not joined and gave passage to the petitioner which is not the case of the petitioner.



CWP-35289-2024

-3-

7. In view of above discussions and findings, this Court is of the considered opinion that the present petition deserves to be dismissed and accordingly dismissed.

14.01.2025
manoj

[JAGMOHAN BANSAL]
JUDGE

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