

(2010) 09 SHI CK 0184
In the High Court Of Himachal Pradesh
Case No : C.W.P. (T) No. 5878 of 2008

Babu Ram and Others

APPELLANT

Vs

State of Himachal Pradesh and Others

RESPONDENT

Date of Decision : 09-09-2010

Acts Referred:

Citation : (2010) 09 SHI CK 0184

Hon'ble Judges : Kurian Joseph, C.J;Rajiv Sharma, J

Bench : Division Bench

Judgement

Kurian Joseph, C.J.—The writ petition is filed with the following prayer:

ii) That selection of Respondents Nos. 3 to 9 to the posts of Lecturers (College Cadre) in the subject of commerce made pursuant to the interviews held from 20.4.99 to 23.4.99 may kindly be quashed and set aside being patently illegal, un-just and in violation of the mandate of the Constitution.

2. Para-2 of the preliminary submissions of the reply filed on behalf of respondent No. 4 reads as follows:

2. The O.A. is also bad for nonjoinder and misjoinder of necessary parties. That the original application in the present form is not maintainable as the applicant cannot file joint original application. It is further submitted that the selection of replying respondent has been made on the merits as he secured good marks in interview and further having good academic career and experience. Whereas the applicants secured less marks in interview hence they have no right of the selection which is based on merits, hence the O.A. is liable to be dismissed on the sole ground.

3. In view of the stand taken in the reply, in case the petitioners still have any grievance, they may pursue the matter before the second respondent, in which case, the matter will be duly considered by the second respondent, with notice to all the parties.

4. The petition stands disposed of, so also the pending application(s), if any.