
(2006) 08 P&H CK 0353
In the Punjab And Haryana At Chandigarh
Case No : CWP No. 12182 of 2006

Kuldeep Singh

APPELLANT

Vs

State of Haryana and Others

RESPONDENT

Date of Decision : 07-08-2006

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2006) 08 P&H CK 0353

Hon'ble Judges : M.M.S. Bedi, J;M.M. Kumar, J

Bench : Division Bench

Advocate : S.K. Bhardwaj, for the Appellant;

Final Decision : Dismissed

Judgement

M.M. Kumar, J.—The prayer made by the petitioner in this petition filed under Article 226 of the Constitution is to appoint him on the post of S.S. Teacher claiming that he was placed in the waiting list and the posts have been kept vacant.

2. Brief facts of the case are that an advertisement inviting applications for 2127 posts of SS Teachers was issued . The number of posts subsequently were reduced to 1270. The petitioner applied. The Haryana Staff Selection Commission, respondent No. 2, circulated a public notice informing all concerned about the criterion and the date fixed for the written examination (Annexure P.1). The petitioner appeared in the written examination held on 20.1.2002. On 8.10.2004, the result of the written test was declared and the name of the petitioner appeared in the list of pass candidates. Thereafter interview was held. In the final selection as per the declaration of result by respondent No. 3, the name of the petitioner figured in the wait list. The claim made by the petitioner is that out of 1270 posts advertised appointment letters have been issued by respondent No. 2 only to 1236 candidates. It has been asserted that 136 candidates have not even joined the service. The respondents instead of filling up the vacancies out of the wait list candidates have advertised large number of

posts including those of SS Teachers on contract basis on 7.5.2005. It has also been asserted that on 8.6.2006 and 29.6.2006 public notices were published offering appointment to 52 and 14 other candidates who were in the waiting list without clearly mentioning the wait list number of such persons. According to the assertion made, the petitioner has been denied appointment although his name was on the waiting list. No averment has been made showing that any candidate lower in order of merit to the petitioner has been offered appointment so far.

3. Having heard the learned Counsel, we are of the considered view that after the selection process was completed on December 5, 2004 and the letters of appointment were issued to the selection candidates on December 13, 2004 no cause of action would survive in favour of the petitioner merely on the ground that his name had figured in the waiting list prepared in 2004. Moreover, there is nothing on the record to show that the name of the petitioner in order of merit is higher than those who have been offered appointment on the post of SS Teachers. Still further the posts have been advertised on 7.5.2005 and the petitioner was fully eligible to compete. Therefore, no direction could be issued to the respondents to offer him appointment on the post of SS Teacher.

4. In view of the above, the writ petition fails and the same is dismissed.