



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

CWP-15195-1996

Date of decision : 08.07.2025

Param Pal Sharda

.....Petitioner

Versus

State of Punjab and others

.....Respondents

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE

Present: Mr. Vijay Pal, Advocate, and
Mr. Akash Lather, Advocate.
for the petitioner.

Mr. Salil Sabhlok, Senior DAG, Punjab.

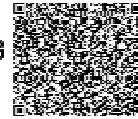
Mr. Sanjeev Soni, Advocate, and
Mr. Sarthak Soni, Advocate,
for respondent No.3.

Mr. Jatinder Nagpal, Advocate,
for respondents No.4 to 6.

SHEEL NAGU, CHIEF JUSTICE (Oral)

1. This petition has been filed challenging the selection and appointment of respondents No.5 and 6 to the post of Clerk in Municipal Council, Patiala, for which an advertisement was issued some time in 1996, essentially on two grounds.

2. The first ground in support of aforesaid challenge is that Municipal Council, Patiala, was dissolved in 1995, which order was assailed in CWP No. 7104 of 1995, wherein vide interim order dated 29.05.1995 passed



by a Division Bench of this Court, the Municipal Council, Patiala, was restrained from taking policy decision of far-reaching consequences.

2.1 Learned counsel for the petitioner submits that issuance of advertisement, conduction of selection and making of appointments to the post of Clerk were major policy decisions, which could not have been taken by Municipal Council, Patiala, in the backdrop of aforesaid interim order.

2.2 The second ground taken by petitioner is that respondent No.5, who was one of the selected and appointed Clerks, was closely related to Shri Niranjn Dass, President, Municipal Council, Patiala (respondent No.4 herein), being son of sister-in-law of Shri Niranjn Dass, who was alleged to be a Member of Selection Sub Committee.

3. Municipal Council, Patiala, has come out with a response objecting to the petition, primarily on two grounds : (i) once having participated in the selection process, the petitioner cannot turn around and challenge the very selection process, in which he had voluntarily participated with open eyes; and (ii) respondent No.5 is not related at all to Shri Niranjn Dass, President, Municipal Council, Patiala.

4. I have perused the documents filed with the petition as well as written statement.

4.1 It is found that none of the Members of Selection Sub Committee was related to respondent No.5 or respondent No.6. It is only the recommendation of Selection Sub Committee, which was placed before General House of the Municipal Council, presided over by Shri Niranjn Dass, President, Municipal Council. Since the entire recommendation was accepted



by majority of the General House, it does not matter if such House was presided over by relative of one of the candidates.

4.2 More over, this Court also finds that in the absence of any malafide alleged against any Member of the Screening Committee or Selection Sub Committee, the petitioner is stopped from challenging the very selection process, in which he had voluntarily participated with open eyes.

5. In view of above, no case for interference is made out.

6. Accordingly, the petition stands dismissed.

July 08, 2025
narotam

(SHEEL NAGU)
CHIEF JUSTICE

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