

Appointment to vacant posts - “Whether the High Court was justified in law in giving direction to the appellant to fill up the vacancies which remained unfilled due to candidates not turning up to join the post?”

Service Matter

Appointment to vacant posts - “Whether the High Court was justified in law in giving direction to the appellant to fill up the vacancies which remained unfilled due to candidates not turning up to join the post?”

Even if number of vacancies are notified for appointment and even if adequate number of candidates are found fit the successful candidates do not acquire any indefeasible right to be appointed against existing vacancies - That ordinarily such notification merely amounts to an invitation to qualified candidates to apply for recruitment and on their selection they do not acquire any right to the post - It was further held that the State is under no legal duty to fill up all or any of the vacancies unless the relevant recruitment rules indicate - In the present case we are not shown any such relevant recruitment rules. *Shankarsan Dash v. Union of India [(1991(3) SCC 47), followed.*

[2004 PLRonline 0002 \(SC\)](#)