

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

(1) LPA No. 708 of 2013 (O&M)

Balwant Singh

.... APPELLANT

Versus

State of Haryana and others

.... RESPONDENTS

(2) LPA No. 713 of 2013 (O&M)

Bhupinder Kaur

.... APPELLANT

Versus

State of Haryana and others

.... RESPONDENTS

DATE OF DECISION : 29.04.2015

CORAM :- HON'BLE MR. JUSTICE SATISH KUMAR MITTAL

HON'BLE MR. JUSTICE HARINDER SINGH SIDHU

Present : Mr. Baldev Singh, Advocate, for the appellants.
Mr. Sandeep Moudgil, Addl. A.G., Haryana.

SATISH KUMAR MITTAL, J. (Oral)

This order shall dispose of LPA Nos. 708 and 713 of 2013, filed by Balwant Singh and Bhupinder Kaur, against the orders dated 12.03.2013 and 19.03.2013, respectively, passed by the learned Single Judge.

Vide order dated 12.03.2013, CWP No. 5158 of 2013 filed by Balwant Singh (appellant in LPA No. 708 of 2013) challenging rejection of his candidature for the post of PGT Punjabi, advertised vide advertisement dated 07.06.2012 (Annexure P-3), on the ground that he was not having four years PGT experience after Post Graduation, was dismissed.

Vide order dated 19.03.2013, similar petition (CWP No. 4898 of 2013) filed by Bhupinder Kaur (appellant in LPA No. 713 of 2013) challenging rejection of her candidature for the post of PGT Punjabi, advertised vide the same advertisement dated 07.06.2012 (Annexure P-3), was dismissed in the light of the aforesaid order dated 12.03.2013 passed in Balwant Singh's case.

CWP No. 5158 of 2013 filed by appellant Balwant Singh was dismissed on the ground of delay and laches, as he had approached the court after the selection process was over, while observing as under :-

“The petitioner had subjected himself to a process to selection for the post of PGT Punjabi in pursuance to the advertisement issued on 07.06.2012. Needless to observe that every selection process has to adhere to a certain timeframe. The candidature of the petitioner was rejected in terms of memo dated 29.11.2012 (Annexure P-5) on the ground that he does not possess the requisite four years PGT experience after Post Graduation. In spite of having been made aware as regards his candidature having been rejected in November 2012 itself, the petitioner has chosen to sit back and watch the selection process continue. It is not a matter of dispute that the process of interview has been carried out and even the final result/merit list for the post of PGTs of all subjects already stands declared by the Haryana School Teachers Selection Board.

Counsel would submit that a number of petitions filed by the candidates similarly situated are already pending consideration before this Court. Be that as it may, this Court in exercise of its extraordinary jurisdiction would have to draw a line as regards entertaining fresh writ petitions in pursuance to a process of selection which has already attained finality. The petitioner is not an illiterate person. He claims to be a Post Graduate and whose candidature was rejected on 29.11.2012 by assigning a specific ground of rejection. This Court is of the view that even if there was merit in the contention raised by the counsel that the rejection of the

candidature of the petitioner is unjustified, still the petitioner would have to bear the consequences of having not approached this Court with a certain element of urgency and at least while the process of selection was still underway. The petitioner cannot be permitted to gain any impetus from the pendency of other petitions filed by candidates who approached this Court immediately upon their candidature having been rejected.”

In the aforesaid order, it has been mentioned that number of petitions filed by the similarly situated candidates are pending consideration before the learned Single Judge, but it has been observed that irrespective of the said fact, since the appellant had approached the court after the selection process was over, the issue with regard to his eligibility cannot be considered.

Today, during the course of hearing, it has been pointed out by learned counsel for the parties that all the other petitions filed by the similarly situated candidates, where the same issue was raised, have been dismissed. Even otherwise, we are of the opinion that the learned Single Judge has rightly dismissed the writ petitions filed by the appellants herein on the ground of delay and laches, as they had approached the court after the selection process was over. At this stage, no relief could have been granted to the appellants, as they were not interviewed for the post. Thus, we do not find any illegality in the orders passed by the learned Single Judge.

No merit. Dismissed.

(SATISH KUMAR MITTAL)
JUDGE

April 29, 2015

(HARINDER SINGH SIDHU)
JUDGE