

**CWP No. 18736 of 2016**

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

**CWP No. 18736 of 2016  
Date of Decision : 03.11.2016**

**Seema**

**...Petitioner**

**Versus**

**The State of Haryana and another**

**...Respondents**

**CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL**

Present: Mr. R.N. Bhardwaj, Advocate for the petitioner.

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**Anupinder Singh Grewal, J.(Oral)**

The petitioner is challenging the selection of Female Supervisor in Women and Child Development Department, Haryana.

The petitioner had applied for the post of Female Supervisor in pursuance to Advertisement No. 1 of 2011, issued by the respondents. The petitioner appeared in the interview but could not be selected. It is the case of the petitioner that the criteria of 33% marks for the interview was illegal and various candidates have been given higher marks in the interview, although they are less qualified than the petitioner. Learned counsel for the petitioner also submits that certain candidates have been selected without proper verification of their documents.

I have heard learned counsel for the petitioner.

It is apt to notice that the petitioner had participated in the selection process and after having failed to find place in the selection list, she has turned around and challenged the criteria prescribed for the selection process. It has been held by the Supreme Court of India in the case of ***Madan Lal and others Vs. Jammu and Kashmir***, AIR 1995 SC 1088 that it is not open to a candidate after having participated in the process of selection to challenge the criteria later on.

Further, the selection process is stated to have been completed in the year 2013 while the instant petition has been preferred in the year 2016 i.e. after three years of its conclusion. At this juncture, learned counsel for the petitioner contends that he is challenging the order dated 13.07.2016 passed by the respondents, whereby his legal notice has been rejected by respondent No. 2. It is well settled that sending representations or legal notices will not arrest time and condone the delay on the part of the petitioner to approach this Court. Reference can be made to the judgments of Hon'ble the Supreme Court of India in the case of ***Gian Singh Mann Vs. The High Court of Punjab and Haryana and Another***, AIR 1980 SC 1894 and ***State of Uttaranchal Vs. Shiv Charan Singh Bhandari***, 2013 (12) SCC 179. Even on this score, the petition cannot be entertained, especially in view of the fact that none of the selected candidates has been impleaded as respondent in the instant petition.

Additionally, I do not find any infirmity in prescribing 33% marks for interview as no written examination was conducted. Marks have been allocated on the basis of qualification and interview. Only in the event

the interview is followed by a written examination 33% marks for interview could be held to be excessive.

The averment of the petitioner that proper verification of documents of the selected candidates was not carried out is vague and nebulous and she has not been able to make out any prima-facie case that any ineligible candidate has been selected. In the absence of such a factual foundation, it is not possible for this Court to arrive at the conclusion that any ineligible candidate has been selected. Therefore, I do not find any merit in the petition which stands dismissed.

November 03, 2016.  
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(ANUPINDER SINGH GREWAL)  
JUDGE

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|----------------------------|-------------|
| Whether speaking/reasoned? | √<br>Yes/No |
| Whether reportable?        | Yes/No      |