

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

**CWP No.518 of 2016**

DATE OF DECISION: JANUARY 21, 2016

HARVINDER SINGH & OTHERS

...PETITIONERS

VERSUS

UNION OF INDIA & OTHERS

...RESPONDENTS

**CORAM: HON'BLE MR. JUSTICE M. JEYAPPAUL.  
HON'BLE MR. JUSTICE RAJ MOHAN SINGH.**

1. Whether the judgement should be reported in the digest? Yes/No

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PRESENT: MR. SHAILENDER SHARMA, ADVOCATE  
FOR THE PETITIONERS.

**M. JEYAPPAUL, J.**

1. The writ petitioners applied for the post of Mate responding to the advertisement dated 12.12.2014 given by respondent No.2 inviting applications for filling up 2265 vacancies of Mate. The respondents extended twice the last date for submission of applications and conducted written examination on 10.5.2015, but no admit card was issued to the petitioners as they had not secured 65% marks in Matriculation examination.

2. The Central Administrative Tribunal, Chandigarh Bench (for short 'Tribunal') found that for certain administrative reasons the last date had been extended by the respondents twice and only in accordance with the terms of advertisement shortlisting process had been embarked upon by the respondents and as a result of which the writ petitioners were not issued with admit cards.

3. Learned counsel appearing for the writ petitioners submitted that without any rhyme or reason the respondents have chosen to extend the last date of submissions of applications. Further, the writ petitioners who possessed educational qualifications as prescribed in the advertisement were entitled to participate in the written examination. Shortlisting process had been introduced without any rationale behind it.

4. Firstly, we are of the considered view that the respondents being the Appointing Authority have the discretion to extend the last date for submission of applications on certain administrative reasons. This Court in exercise of writ jurisdiction cannot question the wisdom of extension of the last date for submission of applications by the respondents on administrative reasons. No *mala fides* or bias has been attributed for such an extension of time given by the respondents for submitting applications. It is relevant to refer to Note VI in paragraph 11 of the advertisement which reads as follows:-

*“Note:VI. Where the number of applications received in respect of an advertisement is large and it will not be convenient or possible for the Deptt. to call for written test all the candidates, the Deptt. at their discretion may restrict the number of candidates, to a reasonable limit based on the marks obtained in the qualifying examination. In case of grading system, the candidate must furnish conversion formula duly approved by the respect Board/Institute.*

5. If a large number of candidates had applied for the post

advertised by the respondents, they have reserved their right of shortlisting and the same has been made abundantly clear in the advertisement itself.

6. It is also found that the criteria for shortlisting had been adopted by the respondents only in terms of their proceedings dated 30.3.2015 and 27.2.2015 found appended as Annexures R-1 and R-2. It is not as if shortlisting had been done by the respondents without putting the writ petitioners on notice. Even otherwise, they have the privilege to resort to shortlisting when large number of candidates had applied for minimum number of posts, as otherwise a large number of employees will have to be pressed into service for conducting the examination to fill up less number of posts.

8. In view of the above, we do not find any merit in the writ petition and therefore, the same stands dismissed.

**(M. JEYAPPAUL)**  
**JUDGE**

January 21, 2016  
Gulati

**(RAJ MOHAN SINGH)**  
**JUDGE**