

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH.

CWP No.10567 of 2017

Date of decision:10.7.2017

Ram Kumar Sharma

... Petitioner

versus

State of Haryana and another

... Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH.

Present: Mr.Sanjeev Kodan, Advocate,
for the petitioner

...

AMOL RATTAN SINGH, J. (Oral)

The petitioner in this case is seeking a writ of certiorari quashing a declared result, whereby he has not been selected for appointment on the post of a Primary Teacher (PRT). He seeks consideration for appointment to the post, treating him to be a candidate in the category of Ex-Servicemen (General).

The selection process in question was initiated by respondent no.2, i.e. the Haryana Staff Selection Commission, on issuance of advertisement no.2/2012, in the year 2012, inviting applications from prospective candidates who wished to be appointed to the said posts, 9870 in number, 591 posts having been advertised in the ESM General category.

The petitioner considering himself to be eligible applied under the said category, he being an ex-serviceman from the Indian Navy. After

scrutiny of documents etc., he received a letter from the Commission on 7.5.2014 that his candidature had been rejected on the ground that the experience certificate relied upon by him with his application was not countersigned by the Director of the 'respective State' and that a no objection certificate was also not attached along with the application. The petitioner thereafter is stated to have contacted the Commission on 20.5.2014 and removed the objections but the result was declared thereafter on 14.8.2014, with the petitioner not shown to be selected. On 12.8.2015, i.e. about one year later, he applied under the Right to Information Act, 2005, seeking information as to how many candidates had appeared in the interview conducted on 30.5.2013, in which the petitioner had also participated. The said information is stated to have been supplied to him by the respondent Commission on 30.9.2015.

He has, therefore, now approached this Court almost 2 years and 11 months from the date of rejection of his candidature for the post of Primary Teacher.

Learned counsel for the petitioner submits that as the petitioner had filed an application under the Right to Information Act, which was answered in the month of September, 2015, he cannot be said to have approached this Court belatedly.

Firstly, applying for the information after 1 year under the RTI Act is not sufficient cause to not approach this Court in time and secondly, even if that is accepted for any reason, then more than 1 year and 9 months having elapsed as of today even since September 30, 2015, with the appointments to the posts in question already having been made about 3

years ago, I see no reason to entertain this petition.

Dismissed.

10.7.2017
pk

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No