

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

CWP No.1744 of 2017

Date of decision : February 01, 2017

Mohan Singh and others

....Petitioners

Versus

State of Punjab and another

....Respondents

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present : Mr. S.S. Sarwara, Advocate
for the petitioners.

Jaishree Thakur, J.(ORAL),

The instant writ petition has been filed under Articles 226/227 for the issuance of a writ, order or direction in the nature of certiorari for quashing the advertisement dated 24.11.2016 for the post of J.E. (Civil, Mechanical, Electrical).

Learned counsel for the petitioners herein contends that an advertisement dated 24.11.2016 was published for filling up 296 posts of Junior Engineer (Civil) in which only candidates with diploma in Civil Engineering were allowed to fill in their online application forms. It is contended that the petitioners who have B.Tech/B.E. Civil Engineering degree from top Universities are equally eligible to apply for the said post but their online applications forms were not accepted. It is argued that having higher qualifications, should not have disentitled them from applying online. The department too did not accept the hardcopy of the application forms. The last day of submission of the hardcopy of the online application forms was 18.12.2016. A limited prayer has been made in the instant writ petition is for quashing the said advertisement being violative of the Constitutional rights of the petitioners.

I have heard learned counsel for the petitioners and find that there is no justification made out as to why the advertisement dated 24.11.2016 should be quashed. Undoubtedly, pursuant to the said

advertisement the recruitment process has started and an examination has been held on 28.12.2016. As per the schedule of dates, the result of the written examination was to be declared on 04.01.2017 based on which an indefeasible right has accrued to the selected candidates. The arguments as raised by the counsel for the petitioners that on an earlier occasion too, this Court had allowed certain candidates to provisionally appear for the post of Junior Engineer on the basis of the degree and qualifications, has no relevance in the case in hand. In the orders relied upon by the counsel for the petitioners, interim orders were passed allowing the petitioners to take part in process of selection in the written examination being held in 2012. In case the petitioners had approached this court prior to the written examination being held such orders could have been issued.

In the instant case the last date of submitting online application forms was 16.12.2016 and the last date for receipt of hardcopy of the application forms was 18.12.2016. The examination was held immediately thereafter on 28.12.2016 and, thereafter, the result was supposed to be declared on 04.01.2017.

In view of the fact that the written examination is over, there is no ground made out for quashing the advertisement as prayed for.

Writ petition being devoid of merit is dismissed.

(JAISHREE THAKUR)
JUDGE

February 01, 2017

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Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No