

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

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**CWP No.24624 of 2017
Date of decision: 31.10.2017**

Ajay Kumar

....Petitioner

Versus

Haryana Staff Selection Commission

...Respondent

CORAM: HON'BLE MR. JUSTICE G.S.SANDHAWALIA

Present: Mr.R.S.Dhull, Advocate, for the petitioner.

G.S. SANDHAWALIA, J. (Oral)

Petitioner seeks consideration for the post of Water Pump Operator Grade-II, as per advertisement dated 30.12.2016 (Annexure P-1) under the General Category, on the ground that he had cleared the written examination but has not been called for interview, on account of the fact that he could not appear for the scrutiny of the documents.

The result of the written test was declared on 28.06.2017 (Annexure P-2) and the successful candidates were to appear for scrutiny of documents between 04.07.2017 to 06.07.2017. It is the case of the petitioner that eventually scrutiny was done on 17.07.2017, on which date, he could not appear on account of the fact that he had missed the said date and only came to know about it in the last week of August, 2017. It is his own case that another scrutinization process was done on 19.09.2017 but even on that date he could not appear, allegedly because of his ill health and reliance has been placed upon the OPD slip dated 18.09.2017 (Annexure P-3) in this context. On account of the interview now being fixed vide notice dated 12.10.2017 (Annexure P-5) between 02.11.2017 to 03.11.2017, the petitioner has approached this Court. The said interview process is on account of candidates being eliminated after the scrutinization, in which the petitioner never participated.

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Eligible candidates, twice the number of advertised posts have been called by the respondent-Commission. The petitioner has missed the bus, not once but twice. The terms and conditions of the notice are very clear that a person will not be considered for viva-voce/interview if he does not appear for scrutinization of documents. Relevant clause reads as under:

“2. In case a candidate does not appear for Scrutiny of Documents, he/she will not be considered for Viva-Voce/interview and no further opportunity will be given thereafter.”

In such circumstances, no opportunity can be granted to the petitioner, who has been lax on his own account. Any such relief granted would take away the right of another candidate, since only two times the number of vacancies have been called for interview and accordingly, this Court is loath to interfere for the relief sought.

In view of the above, the present petition being devoid of any merit, the same is, hereby, dismissed in limine.

31.10.2017
Sailesh

(G.S. SANDHAWALIA)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether Reportable: *Yes/No*