

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

109

CWP No.25345 of 2017

Date of decision: 08.11.2017

Rajni Sharma

....Petitioner

Versus

State of Haryana & another

...Respondents

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

Present: Mr.Rishi Pal, Advocate, for the petitioner.

G.S. SANDHAWALIA, J. (Oral)

Petitioner seeks relief of participation in the selection for the post of PGT History against the EBPB category, on the ground that she has secured 88 marks in the written test and as per the result declared, the cut-off for the said category is 84. Reliance is, now, placed upon the certificate dated 27.02.2017 (Annexure P-8) to claim consideration under the said category.

It is not disputed that the petitioner had applied in the General Category, which would be clear from her application form (Annexure P-1) itself. Merely on account of the fact that she has got the certificate issued after the cut-off date, for the advertisement dated 28.06.2015 (Annexure P-2), whereby the last date for filling on-line application form was 21.09.2015, the petitioner, now, cannot seek consideration for the category for which she had never applied.

The terms of the advertisement are explicit and clear, since a person has to apply for a particular category for the posts advertised and the requisite documents are to be uploaded with the application form including the scanned copy of the certificate, as per clause (v). Petitioner having not done so and having applied against the General Category and having failed to make the cut for the said category wherein it is stated that persons above 102 marks have been called for interview, is, now, trying to shift consideration from the category she had applied to, to another category, which is not permissible, as per the

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terms of the advertisement itself, since on-line application is to be for a particular category of the advertised posts. The relevant terms of the advertisement reads as under:

“A candidate whether he belongs to General or reserved category viz. SC, BCA, BCB, SBC, EBPG, ESM/DESM, DFF, PHC or OSP can submit only one online application form for a particular category of post advertised. The special instructions for online applications as given on website www.hssc.gov.in must be carefully read to help in understanding and filling in the application form. No offline form will be accepted. All the relevant columns of the application form should be filled in.”

In such circumstances, the argument raised by the counsel that various requests have been made with the respondent-Commission, to be considered in the other category, cannot be accepted. It is settled principle that process of selection is time-bound and a person is bound by the terms of the advertisement and cannot seek consideration under different categories, at their convenience, after having applied initially in a particular category. The same would lead to the process of recruitment never being completed as a request from all candidates would be received for shifting of categories, after declaration of result, having failed to make the cut and the sanctity of the cut-off date would never come into play.

In such circumstances, no relief can be granted to the petitioner and the present writ petition is, accordingly, dismissed in limine.

08.11.2017

Sailesh

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No

**(G.S. SANDHAWALIA)
JUDGE**