

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

107

CWP No.26775 of 2017

Date of decision: 24.11.2017

Karam Veer & others

....Petitioners

Versus

State of Haryana & another

...Respondents

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

Present: Mr.Deepak Kundu, Advocate, for the petitioners.

G.S. SANDHAWALIA, J. (Oral)

Petitioners seek writ in the nature of certiorari, under Article 226 of the Constitution of India, to quash the advertisement dated 20.02.2016 (Annexure P-2) whereby only those applicants having 2 years ITI course in Electrician/ Electronics/ Wireman trade or Lineman & Electrician had been made eligible to the post in question, which is Shift Attendant, as per advertisement No.3/2016,

It is the case of the petitioners that they have higher qualifications having Diploma in Electrical Engineering, but were not considered eligible for the post of Shift Attendant.

Mr.Kundu has argued that notice dated 04.04.2016 (Annexure P-3) had been issued whereby the link had been kept open till 14.04.2016, for the convenience of the candidates and similarly, vide communication dated 12.05.2016 (Annexure P-4), the respondent-Commission had extended the cut-off date to 14.04.2016 and also higher Degree holders had been allowed to apply for the post in question. However, corrigendum had not been issued, as such and therefore, the petitioners had been left out from the right of consideration as they had not applied on account of the fact that they were not aware that Diploma holders could also apply. Reference is also made to the order passed in CWP-10014-2016 titled *Rajesh Kumar & others Vs. State of Haryana & others*,

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

107 CWP No.26775 of 2017

-2-

decided on 23.05.2016 (Annexure P-5), to submit that in similar circumstances, the petitioners were allowed to submit hard copies and their candidature were to be considered in accordance with law. It is, thus, submitted that a valuable right, as such, has been taken away, for consideration.

The fact remains that in pursuance to the said advertisement, the result was declared on 30.04.2017 for 2426 posts. The scrutiny of documents were to be held between 05.05.2017 to 11.05.2017, before the respondent-Commission. A period of more than 1 ½ years have gone by since then and the petitioners have chosen not to approach this Court at an earlier point of time along with other similarly situated persons like **Rajesh Kumar** (supra). At this belated stage, now, they cannot turn around and challenge the said recruitment process where valuable rights of other persons are involved who had applied as per the terms and conditions of the advertisement and after the scrutinization process, vide notice dated 12.08.2017, the interview of the candidates has also been held from 26.08.2017 onwards. Therefore, approaching this Court at this belated stage on the ground that the petitioners, as such, have been discriminated against, does not cut much ice with this Court. It is settled principle that the law is for the vigilant and not for those who sleep over their rights.

In such circumstances, at this belated stage, no occasion arises for entertaining the present writ petition and for the above-mentioned reasons, the same is dismissed in limine.

24.11.2017

Sailesh

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No

(G.S. SANDHAWALIA)
JUDGE