

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

1. CWP No.7229 of 2017

Manoj Kumar

... Petitioner

Vs.

State of Haryana and others

... Respondents

2. CWP No.7553 of 2017

Rinku and another

... Petitioner

Vs.

State of Haryana and another

... Respondents

Date of Decision: 24.04.2017

CORAM : HON'BLE MR. JUSTICE P.B. BAJANTHRI

Present : Mr. Ravinder Singh Bains, Advocate and
Mr. N.C. Kinra, Advocate for the petitioner (s).

Mr. Hitesh Pandit, Addl. A.G. Haryana.

Mr. H.N. Mehtani, Advocate.

P.B. BAJANTHRI J. (Oral)

By this common order, both the aforementioned writ petitions shall be decided together as issue involved in these writ petitions are identical. The petitioners are candidates for recruitment to the posts of District Attorney (Group A) and Deputy District Attorney (Group B). Haryana Public Service Commission (for short "HPSC") notified for the posts of District Attorney (Group A) and Deputy District Attorney (Group B) in the Prosecution Department of State of Haryana. The petitioners submitted their online applications for the posts prior to last date. It is alleged that they have submitted their hard copy of the applications before cut off date i.e. 22.1.2016. The same is being disputed by the HPSC that they have not received hard copy in respect of the petitioners' applications are concerned. However, the petitioners have not placed on record any

document to demonstrate that they have submitted hard copy of the applications before 22.1.2016. It was submitted that first petitioner has sent through registered post. Whereas second petitioner has submitted by way of representation. However, no material has been placed on record to demonstrate that they have complied instructions given to the candidate to the extent that each candidate is required to submit hard copy before 22.1.2016. Thus, the petitioners are not eligible for the posts of District Attorney (Group A) and Deputy District Attorney (Group B).

Learned counsel for the petitioner (s) submitted that on their representation, HPSC has entertained their candidature and they were subjected to process of selection and they have been selected. Now at the same time, HPSC noticed that the petitioners have failed to submit hard copy of the applications prior to 22.1.2016. However, the petitioners' candidatures have been rejected which is subject matter of these petitions.

Heard learned counsel for the petitioner (s).

Having regard to the candidature instructions given in the advertisement, it is crystal clear that hard copy of the application is required to be submitted on or before 22.1.2016. The petitioners do not possess the requisite documents to show that they have submitted their hard copy prior to 22.1.2016. Therefore, in the absence of necessary material, petitioners' candidature has been rightly rejected.

Accordingly, petitions stand dismissed.

24.04.2017
rajeev

(P.B. Bajanthri)
Judge

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No