

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

**LPA No. 7729 of 2018 (O&M)**

Date of Decision: 20.12.2018

Arun Thakur

.....Appellant

versus

State of Punjab and others

.....Respondents

**CORAM: HON'BLE MR.JUSTICE KRISHNA MURARI, CHIEF JUSTICE  
HON'BLE MR. JUSTICE ARUN PALLI, JUDGE**

**Present :** Mr. Ravi Sharma, Advocate, for the appellant.

\*\*\*\*

**KRISHNA MURARI, CHIEF JUSTICE (oral)**

This intra court appeal under Clause X of the Letters Patent has been filed by the appellant challenging the judgment and order dated 02.11.2018 passed by the learned Single Judge dismissing the writ petition filed by him seeking quashing of the advertisement dated 21.03.2018 and all subsequent proceedings based thereupon.

2. The main ground of challenge before the learned Single Judge was that an advertisement has been issued in contravention of the Punjab State Civil Services (Appointment by Combined Competitive Examination) Rules, 2009 ( for short 'the Rules of 2009). It was contended before the learned Single Judge and same argument is being repeated before us in this appeal that since Rule 2 of the Rules, 2009 contain a schedule of examination which is to be followed strictly where under publication of advertisement is to be made on 15<sup>th</sup> September of every year and since in the case in hand it was published on 21<sup>st</sup> March, 2018, the appellant-petitioner was precluded from applying.

3. The stand taken by the Punjab Public Service Commission was that the process was initiated in 2017 and since the advertisement on account

hence it was published on 21.03.2018. Learned Single Judge finding that though the appellant-petitioner obtained degree prior to the prescribed time and could apply for the test but opted not to appear in the preliminary examination and remained silent at the time of advertisement as well as preliminary examination, now he has no *locus standi* to challenge the entire examination on the ground that there has been deviation from the prescribed procedure. Even before us learned counsel for the appellant vehemently contended that deviation from the examination schedule prescribed under the Rules would vitiate the entire procedure. We are afraid that the argument advanced is liable to be rejected. A perusal of the Rules goes to show that 15<sup>th</sup> September is the starting date given for publication of the advertisement and in the next column which is of end date records 'Nil' and thus there is no end date provided in the Rules. In such view of the matter the advertisement for recruitment in 2017 if published on 21.03.2018 i.e. after 15<sup>th</sup> September will not be rendered illegal inasmuch as no end date has been provided under the Rules.

4. In view of above we do not find infirmity in the view taken by the learned Single Judge which may require any interference. The appeal is devoid of merits and accordingly stands dismissed.

(KRISHNA MURARI)  
CHIEF JUSTICE

(ARUN PALLI)  
JUDGE

20.12.2018  
ravinder

|                           |         |
|---------------------------|---------|
| Whether speaking/reasoned | √Yes/No |
| Whether reportable        | Yes/No√ |