

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

**CWP No.4249 of 2019
Date of decision:15.02.2019**

Madhur Basra **...Petitioner**
Vs.
Punjab Public Service Commission and another **....Respondents**

**Coram: Hon’ble Mr. Justice Rakesh Kumar Jain
Hon’ble Mr. Justice Harnaresh Singh Gill**

**Present: Mr. Jeevan Gautam, Advocate,
for the petitioner.

Rakesh Kumar Jain, J.

The Punjab Public Service Commission (hereinafter referred to as the “Commission”), vide its advertisement No.4 dated 26.09.2016, invited online applications from the eligible candidates in order to fill up 121 posts of Civil Judge (Junior Division)-cum-Judicial Magistrate in various categories. The category-wise break-up of the aforesaid posts is as under:-

Sr. No.	Category Code	Name of Post/Category	No. of Posts	Backlog posts	Total Posts
1	71	General	51	-	51
2	72/73	Ex-Servicemen/Lineal Dependent of Ex-Servicemen	08	-	08
3	74	Freedom Fighter, Punjab	01	-	01
4	75	Sports Person, Punjab	03	-	03
5		Physically Handicapped Punjab		-	
	76A	Visually Impaired	02		02
	76B	Hearing Impaired	01		01
	76C	Orthopedically Challenged	01		01

6	77	Scheduled Caste Others, Punjab	14	-	14
7	78/79	Scheduled Caste Others, ESM/LDESM, Punjab	02	01	03
8	80	Scheduled Caste Others Sports Person, Punjab	01	01	02
9	81	Balmiki/Mazhbi Sikh, Punjab	12	07	19
10	82/83	Balmiki/Mazhbi Sikh/ESM/LDESM, Punjab	02	-	02
11	85	Backward Classes, Punjab	12	-	12
12	86/87	Backward Classes, ESM/LDESM, Punjab	02	-	02
		Total		09	121

The recruitment process for the aforesaid posts was of three stages, namely, preliminary examination, main written examination and viva-voce. The petitioner, after clearing preliminary examination, attempted the main examination held between 07.09.2018 to 09.09.2018, in General Category, but he could not qualify for the viva-voce, which was held between 21.11.2018 to 28.11.2018.

It is an admitted fact that after completion of recruitment process for the aforesaid 121 posts, the selected candidates have already been given posting. However, the petitioner has filed the present petition at this stage while assailing the evaluation of two questions of English subject on the basis of some material extracted from certain books without approaching the Commission at the first instance.

After hearing learned counsel for the petitioner and perusal of record, we are of the considered opinion that the petitioner has approached this Court after an inordinate delay especially when the recruitment process is already over much-less the selected candidates have already been given posting after their selection as Civil Judge (Junior

Division)-cum-Judicial Magistrate in the State of Punjab. Further more, the petitioner did not approach the Commission in time at the first instance for the redressal of his grievance before knocking the doors of this Court.

Thus, in view of the above, there is hardly any merit in the present petition for interference by this Court and hence, the same is hereby dismissed in limine, though without any order as to costs.

(Rakesh Kumar Jain)
Judge

February 15, 2019
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(Harnaresh Singh Gill)
Judge

Whether speaking / reasoned : Yes
Whether reportable : Yes