

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

CWP No.7009 of 2019

Date of Decision:-14.03.2019

Jhankrit Sharma.

.....Petitioners.

Versus

Haryana Public Service Commission.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASWANT SINGH

Present:- Mr. J.P. Sharma, Advocate for the Petitioner.

JASWANT SINGH, J.(ORAL)

Petitioner was declared as a successful shortlisted candidate for undertaking the HCS (JB) Main Examination 2017 to be conducted from 15.03.2019 in the revised result declared on 26.02.2019, for which the candidates were to submit forms (Hard Copies) in the office of Haryana Public Service Commission by 05.03.2019. Petitioner concededly failed to furnish his application form till today.

By filing the present writ petition, he is seeking writ in the nature of Mandamus, for directing the HPSC to permit him to undertake the main written examination which is to commence from tomorrow i.e 15.03.2019, as the petitioner had no knowledge of the revised result declared on 26.02.2019.

It is contended by the counsel that Commission was duty bound to inform the petitioner about petitioner's inclusion in the revised merit list

as Commission had the mobile number and e-mail of petitioner. It is further submitted that in view of the fact that petitioner lives in District Mahendergarh, therefore it was next to impossible for him to come to know about the revision in the result.

Notice of Motion.

On the asking of the Bench, Mr. Kanwal Goyal, Advocate, panel counsel for the Haryana Public Service Commission accepts notice on behalf of the Commission. Requisite number of paper books have been supplied to him.

Mr. Kanwal Goyal, Advocate has opposed the prayer made by the learned Counsel for the petitioner on the ground that in pursuance to the order passed by this Court in CWP No. 2943/2019 and other connected matters, the answer key was ordered to be revised and consequently, 153 more candidates were declared successful for being called for Main Written examination vide announcement dated 26.02.2019. It is further submitted that Commission is not duty bound to inform each and every candidate about their inclusion in the revised result, as the said information is widely publicized, being available on the website of the Punjab and Haryana High Court, Website of the Haryana Public Service Commission as well in five leading English/Hindi newspapers having wide circulation in the State of Haryana, Chandigarh and Delhi. Thus, he has prayed for dismissal of the instant writ petition as the same is without merit.

After hearing learned Counsel for the parties and scrutinizing the paper book, we are of the view that instant writ petition is liable to be dismissed, being without any merit.

A bare perusal of the averments made in the writ, especially

paragraph No 7 at page 11 of the paper book would show that the petitioner has simply mentioned that he came to know about his inclusion in the revised result yesterday i.e 12.03.2019 and thereafter he has preferred the instant writ petition. No explanation is coming forth as to how he came to know about his inclusion in result on 12.03.2019. On a pointed query even learned Counsel for the petitioner has not been able give a clear answer. Thus, it is seen that petitioner has made a lame excuse which cannot be accepted.

It is settled position of law that Courts help the vigilant and not those who keep on sleeping over their rights. This is a classic example where a candidate, who is otherwise a law graduate and aspires to be a Judicial Officer does not bother to keep himself upto-date about the fate of his result. Rather than accepting his fault, he has tried to put the entire blame on the Commission. It is not expected from the Commission to inform each and every candidate about their inclusion individually. The commission was expected to display the revised result on its website, which it had done and apart from that, had also published the result in 5 newspapers (English and Hindi) namely The Tribune (Delhi, Chandigarh); The Hindustan Times (Delhi, Chandigarh); Dainik Bhaskar (Chandigarh, Haryana); Dainik Jagran (Chandigarh, Haryana); and Hari Bhoomi (Chandigarh, Haryana). Consequently, it is unbelievable that the petitioner could not lay his hands to any one of these newspapers at his home and thus was caught un-awares.

In any case the cut-off dates mentioned in the advertisement/announcements requiring the candidates to submit their documents by a specified date must be adhered to very strictly, lest it leads

to an anomalous situation where an un-ending process of receiving the application forms starts and thereby delaying the entire recruitment process. Reference in this regard can be made to the Full Bench Judgment of this Court titled as “**Rahul Prabhakar Vs Punjab Technical University and other**” **AIR 1998 P&H 18.**

In view of the above, finding no merit in the present writ petition, the same is hereby dismissed.

(JASWANT SINGH)
JUDGE

(ARUN KUMAR TYAGI)
JUDGE

March 14, 2019
Vinay

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>