

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

**CWP No.10305 of 2019 (O&M)
Date of decision:23.07.2019**

Ankit and another

... Petitioners

Vs.

Haryana Staff Selection Commission

... Respondent

CORAM: HON'BLE MR. JUSTICE AMIT RAWAL

Present:- Mr. S.K.Malik, Advocate
for the petitioners.

AMIT RAWAL J. (Oral)

C.M.No.10614 of 2019

The application is allowed subject to all just exceptions.

Affidavit, Annexure A-1 is taken on record.

CWP No.10305 of 2019

Prayer in present writ petition is for issuance of a writ in the nature of mandamus directing the respondents to consider the candidature of petitioners for the posts of PGT Fine Arts being qualified candidates and issued appointment letters on various grounds including that 250 posts of PGT Fine Arts are still lying vacant.

Mr. S.K.Malik, learned counsel for the petitioners submitted that Haryana Staff Selection Commission caused advertisement no.5/2015 dated 05.07.2015 inviting applications from the eligible candidates for the posts of PGT Fine Arts under Group B Services by fixing the last date as 24.09.2015 with a condition that eligibility and qualification except HTET

would be determined with regard to last date fixed. As per the Note in the advertisement, candidates who passed HTET till interview would be considered. Few names have been referred to in the civil misc. application bearing No.10614 of 2019 wherein candidates, who passed test were considered eligible and given appointment letters but petitioners have not been found to be eligible. The petitioners in fact sat in examination of STET conducted in 2018 whereas result was declared in March 2019 and interview in the aforementioned selection process was held on 30.11.2018, therefore, petitioners are not at fault and predicament of petitioners is writ large.

I have heard learned counsel for the petitioners, appraised the paper book and of view that there is no force and merit in the submissions of Mr. Malik.

This Court raised a specific query to Mr.Malik, as to whether names referred to in the application were of the same examination for the test conducted for STET in January 2018, answer was 'No' as it was examination of 2017. The advertisement is of 2015 and examination was held in 2016-17. The petitioners did not avail the opportunity but only in 2018. Interview could not be held owing to interim order passed by this Court as per the information given by the State Counsel. The petitioners cannot put a blame on the department for not declaring the result of HTET as the interview was held before declaration of result.

It is also matter of record that department has been directed to consider the date of interview as date of scrutiny as per the order dated 15.11.2016 passed by this Court in CWP No.22746 of 2016 titled as Satish Kumar Vs. State of Haryana.

No ground for interference is made out.

Dismissed.

(AMIT RAWAL)
JUDGE

July 23, 2019
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No