

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

CWP-23492-2014 (O&M)
Date of decision : 15.03.2019

Harjinder Singh and another

...Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Ripudaman Singh Sidhu, Advocate,
for Mr. B.S. Sewak, Advocate,
for the petitioners.

Mr. TPS Chawla, DAG, Punjab.

JITENDRA CHAUHAN, J. (Oral)

Prayer in the instant petition is for issuance of a writ of Certiorari quashing impugned notice dated 13.11.2014 (Annexure P-6), wherein, the petitioners have been excluded from the interview list for the post of Constable (Male) in Band Staff at Punjab Police Academy, Phillaur.

It is contended that the petitioners being fully eligible applied in response to an advertisement issued in the month of July 2014 for recruitment to the post of Constable (Male) in Band Staff in Scheduled Caste and General category, respectively vide separate application forms (Annexure P-1). Pursuant to their applications, the petitioners were called for physical trial/measurement vide letters Annexures P-2 and P-3. The petitioners took the said test and after clearing the same, they were called to appear in the written examination on 12.11.2014. Vide public notice dated

13.11.2014 (Annexure P-6), the successful candidates were called for interview without publishing the detailed result of the short-listed candidates, whereas, the petitioners' names did not figure in the said list. Hence, the instant writ petition. Learned counsel contends that despite having cleared the physical test and written examination, the petitioners were arbitrarily not called for interview.

On the other hand, learned State counsel submits that the petitioners have secured lesser marks in their respective categories in the order of merit as compared to the 133 candidates who were called for interview.

Heard.

The petitioner No.1 belongs to the Scheduled Caste category, whereas, petitioner No.2 is a General category candidate. The scores and standing of both the petitioners in the order of merit in their respective categories has been reflected in a chart appended with the reply filed on behalf of respondent Nos.1 and 2, which reads thus:-

Sr. No.	Name, Roll no. and category (as per the record derived from their applications) of the candidates (Petitioners)	Date on which the petitioners appeared for Band Proficiency Test	Date on which the petitioners appeared for Written Test	Marks scored in Band Proficiency Test out of 30 marks	Marks scored in Written Test out of 60 marks	Total Marks obtained by the candidates (Petitioners) out of 90 marks and their merit position	Marks of the last candidate summoned for Interview (in the respective categories of petitioners)
1	Harjinder Singh Roll No.00798 Scheduled caste category	23-09-2014	12-11-2014	14	35	49 marks out of 90 marks. Stood at no.289 out of the 632 in the order of merit in his category	60 marks out of 90 marks (Scheduled caste Category)
2	Lovejeet Singh Roll No.00799 General category	23-09-2014	12-11-2014	15	41	56 marks out of 90 marks. Stood at no.79 out of the 308 in the order of merit in his category	62 marks out of 90 marks (General category)

A perusal of the above clearly reveals that the both the petitioners have secured lesser marks than that of the last selected candidate

in their respective categories and therefore, the claim laid by them is misconceived and both the petitioners do not make the grade.

In view of the above, the instant petition sans merit and is hereby dismissed.

15.03.2019
atulsethi

(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned :	Yes	No
Whether Reportable :	Yes	No