

Sr. No.151

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

**CWP No.33469 of 2019 (O&M)
Date of Decision: 18.11.2019**

Anmol Soni and others

... Petitioners

Versus

State of Punjab and another

... Respondents

CORAM:- HON'BLE MR. JUSTICE ARUN MONGA

Present:- Mr. K.K.Thakur, Advocate,
for the petitioners.

ARUN MONGA, J.(ORAL)

Inter alia, issuance of a writ in the nature of certiorari has been sought to quash an advertisement No.15 dated 08.03.2019 (Annexure P-1) issued by Punjab Public Service Commission wherein cut off date for prescribed qualifications to the post of Veterinary Officers has been provided as 01.04.2019.

2. Having heard learned counsel for the petitioners and on perusal of the contents of the writ petition along with Annexures appended thereto, I am of opinion that writ petition is devoid of merit and deserves to be dismissed.

3. The grouse of the petitioners is that they are eligible to be considered for the post of Veterinary Officers even though they received their degree in Bachelor of Veterinary Science and Husbandry on 16.07.2019 after the cut off date but prior to the submission of documents on 13.08.2019. However, since the said

date of submission of documents was further extended upto 05.09.2019. Therefore, they have been wrongly held ineligible to apply.

4. The issue of relevancy of cut off date is no more res integra. Reference may be had to a decision rendered by the Apex Court in case titled as ***Alka Ojha Vs. Rajasthan Public Service Commission reported as (2011) 9 SCC 438.*** Relevant whereof is reproduced hereinbelow:-

“13...(i) that the cut-off date by reference to which the eligibility requirement must be satisfied by the candidate seeking a public employment is the date appointed by the relevant service rules and if there be no cut-off date appointed by the rules then such date as may be appointed for the purpose in the advertisement calling for applications; ii) that if there be no such date appointed then the eligibility criteria shall be applied by reference to the last date appointed by which the applications have to be received by the competent authority.”

5. It is well settled that eligibility condition has to be seen as on the cut off date and not on the last date of submission of documents. In case, the contention of the petitioners is accepted, it will create an uneven level playing field as all those candidates whose candidature has been rejected on the ground of cut off date would be meted out with a hostile discrimination. Like the petitioners, there will be many more persons, who would have attained requisite eligibility after the cut off date and for no fault of theirs, they will be deprived of the opportunity to apply for the

post.

6. In the aforesaid premise, candidature of the petitioners was rightly rejected since on the cut off date i.e. 01.04.2019, they did not have prescribed qualifications, having been awarded their degree in Bachelor of Veterinary Science and Husbandry on 16.07.2019.

7. In view of my aforesaid discussion and reasoning contained therein, writ petition is dismissed.

18.11.2019

vandana

**(ARUN MONGA)
JUDGE**

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No