

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

CWP No. 36150 of 2019
Date of decision: 13.12.2019

Santokh Singh

.....Petitioners

V/s.

Haryana Staff Selection Commission and another

.....Respondents

CORAM: - HON'BLE MR. JUSTICE SANJAY KUMAR

Present: - Mr. S.K. Verma, Advocate,
for the petitioner.

Sanjay Kumar, J. (Oral)

The prayer of the petitioner in this case reads as under:

'Civil writ petition under Articles 226/227 of the Constitution of India for issuance of a writ in the nature of certiorari for quashing of the action of respondents/ Scrutinsation Committee, whereby petitioner, who has successfully passed his written examination and has been called for scrutiny of documents, has been declared ineligible for the post of Shift Attendant and has not called him for interview in a wrong, illegal, arbitrary and discriminatory manner too without assigning any reason despite of the fact that petitioner is having more marks (i.e. 78 Marks) than the last candidate of SC Category having 70 marks in written examination and called for interview for the post of Shift Attendant.

Further to issue a writ in the nature of mandamus

for directing the respondents to call the petitioner for interview considering him eligible for the post of Shift Attendant and consequently to select him against the post of Shift Attendant advertised vide Advt. No. 3/2016, Category No.1 for UHBVNL/HVPNL/DHBVNL as petitioner is fully eligible for the post of Shift Attendant.

It is an admitted fact that the petitioner applied for the post of Shift Attendant in UHBVNL/HVPNL/DHBVNL against Advertisement No. 3/ 2016 and secured sufficient marks in the written examination held on 24.05.2016, whereby he was called for scrutiny of documents. This scrutiny was undertaken pursuant to the notice issued by the Haryana Staff Selection Commission on 30.04.2017. Thereafter, when the Commission issued notice dated 12.08.2017, indicating that candidates, twice the number of the vacancies, would be called for interview/viva-voce, the roll number of the petitioner was not mentioned therein. The petitioner thereupon submitted representation dated 14.08.2017 (Annexure P-5) to the Commission seeking to be called for the interview. However, no action was taken thereupon. More importantly, the petitioner also did not choose to ventilate any further grievance at that point of time. He chose to file the present writ petition only after the entire selection process concluded and the list of selected candidates was notified by the Commission on 08.03.2019.

Having allowed the selection process to go on, knowing fully well that he had not been called for an interview despite having sufficient marks in the written examination, it is too late in the day for the petitioner

to wake up and seek to re-open the entire process. The petitioner ought to have been vigilant in relation to the subject selections and taken necessary steps at the relevant point of time. The clock cannot be turned back at this late stage.

The writ petition is therefore dismissed on the short ground of delay and laches.

No order as to costs.

(SANJAY KUMAR)
JUDGE

13.12.2019

rakesh

whether speaking/non speaking : Yes/no

whether reportable/non reportable : Yes/no